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JOURNAL

OF THE

House of Representatives

OF THE

1991

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA

**FIRST
SESSION 1991**

OFFICERS AND MEMBERS

of the

House Of Representatives

SESSION 1991

Daniel Blue, Jr., *Speaker* Raleigh, Wake County
Marie W. Colton, *Speaker Pro Tempore* Asheville, Buncombe County
Grace A. Collins, *Principal Clerk* Fuquay-Varina, Wake County
Sam J. Burrow, Jr., *Reading Clerk* Cary, Wake County
Larry P. Eagles, *Sergeant-at-Arms* Tarboro, Edgecombe County

REPRESENTATIVES

- 1st District: (2) Camden, Chowan, Currituck, Dare, Gates (Part),
Pasquotank, Perquimans, Tyrrell, Washington (Part).
Vernon G. James (D) Pasquotank Elizabeth City
R. M. Thompson (D) Chowan Edenton
- 2nd District: (1) Beaufort, Hyde, Washington (Part).
Howard B. Chapin (D) Beaufort Washington
- 3rd District: (3) Craven, Lenoir, Pamlico.
Gerald L. Anderson (D) Craven New Bern
Daniel T. Lilley (D) Lenoir Kinston
William L. Wainwright (D) Craven Havelock
- 4th District: (3) Carteret, Onslow.
Bruce Ethridge (D) Carteret Beaufort
Robert Grady (R) Onslow Jacksonville
Ronnie Smith (D) Onslow Atlantic Beach
- 5th District: (1) Bertie (Part), Gates (Part), Hertford (Part),
Northampton.
Howard J. Hunter, Jr. (D) Northhampton Conway
- 6th District: (1) Bertie (Part), Hertford (Part), Martin (Part),
Pitt (Part).
Gene Rogers (D) Martin Williamston
- 7th District: (1) Halifax (Part), Martin (Part), Warren (Part).
Thomas C. Hardaway (D) Halifax Enfield
- 8th District: (1) Edgecombe (Part), Nash (Part).
Joe Mavretic (D) Edgecombe Crisp
- 9th District: (2) Greene, Pitt (Part).
Walter B. Jones, Jr. (D) Pitt Farmville
Charles McLawhorn (D) Pitt Winterville

10th District: (1) Duplin, Jones.

Charles W. Albertson (D)	Duplin	Beulaville
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11th District: (2) Wayne.

John H. Kerr (D)	Wayne	Goldsboro
Carolyn Russell (R)	Wayne	Goldsboro

12th District: (2) Bladen, Pender (Part), Sampson.

Ed Bowen (D)	Sampson	Harrells
Edd Nye (D)	Bladen	Elizabethtown

13th District: (2) New Hanover (Part).

Karen E. Gottovi (D)	New Hanover	Wilmington
Harry E. Payne, Jr. (D)	New Hanover	Wilmington

14th District: (1) Brunswick, New Hanover (Part), Pender (Part).

E. David Redwine (D)	Brunswick	Shallotte
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15th District: (1) Columbus.

Leo Mercer (D)	Columbus	Chadbourn
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16th District: (3) Hoke, Robeson, Scotland (Part).

Daniel H. DeVane (D)	Hoke	Raeford
Adolph Dial (D)	Robeson	Pembroke
John Calvin Hasty (D)	Robeson	Maxton

17th District: (2) Cumberland (Part).

Nick Jeralds(D)	Cumberland	Fayetteville
Mary E. McAllister (D)	Cumberland	Fayetteville

18th District: (3) Cumberland (Part).

R. D. Beard (D)	Cumberland	Fayetteville
John W. Hurley (D)	Cumberland	Fayetteville
Alex Warner (D)	Cumberland	Hope Mills

19th District: (2) Harnett, Lee.

C. P. Stewart (D)	Harnett	Lillington
Dennis A. Wicker (D)	Lee	Sanford

20th District: (2) Franklin, Johnston.

Billy J. Creech (R)	Johnston	Wilson's Mills
Barney Paul Woodard (D)	Johnston	Princeton

21st District: (1) Wake (Part).

Daniel Blue, Jr. (D)	Wake	Raleigh
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22nd District: (3) Caswell, Granville, Halifax (Part), Person, Vance, Warren (Part).

John T. Church (D)	Vance	Henderson
James W. Crawford, Jr. (D)	Granville	Oxford
James P. Green, Sr. (D)	Vance	Henderson

23rd District: (3) Durham

Paul Luebke (D)	Durham	Durham
H. M. Michaux, Jr. (D)	Durham	Durham
George W. Miller, Jr. (D)	Durham	Durham

24th District: (2) Chatham (Part), Orange.

Anne C. Barnes (D)	Orange	Chapel Hill
Joe Hackney (D)	Orange	Chapel Hill

25th District: (4) Alamance, Rockingham, Stokes (Part).

Fred Bowman (D)	Alamance	Burlington
Bertha Holt (D)	Alamance	Burlington
Sam Hunt (D)	Alamance	Burlington
Peggy Wilson (R)	Rockingham	Madison

26th District: (1) Guilford (Part), Randolph (Part).

Herman C. Gist (D)	Guilford	Greensboro
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27th District: (3) Guilford (Part).

Joanne W. Bowie (R)	Guilford	Greensboro
Maggie Jeffus (D)	Guilford	Greensboro
Albert S. Lineberry, Sr. (D)	Guilford	Greensboro

28th District: (2) Guilford (Part).

Mary Jarrell (D)	Guilford	High Point
Stephen Wood (R)	Guilford	High Point

29th District: (1) Forsyth (Part), Guilford (Part).

Michael P. Decker (R)	Forsyth	Walkertown
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30th District: (1) Chatham (Part), Randolph (Part).

Arlie F. Culp (R)	Randolph	Ramseur
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31st District: (1) Moore.

Richard T. Morgan (R)	Moore	Pinehurst
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32nd District: (1) Richmond, Scotland (Part).

Donald Dawkins (D)	Richmond	Rockingham
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33rd District: (1) Anson, Montgomery.

Foyle Hightower, Jr. (D)	Anson	Wadesboro
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34th District: (4) Cabarrus, Stanly, Union.

Bobby H. Barbee, Sr. (R)	Stanly	Locust
Clayton Loflin (R)	Union	Monroe
Coy C. Privette (R)	Cabarrus	Kannapolis
Timothy Tallent (R)	Cabarrus	Concord

35th District: (2) Rowan.

Charlotte A. Gardner (R)	Rowan	Salisbury
Bradford V. Ligon (R)	Rowan	Salisbury

36th District: (1) Mecklenburg (Part).

James B. Black	Mecklenburg	Matthews
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37th District: (3) Davidson, Davie, Iredell (Part).

Jerry C. Dockham	Davidson	Denton
Joe H. Hege, Jr. (R)	Davidson	Lexington
Julia C. Howard (R)	Davie	Mocksville

38th District: (1) Randolph (Part).

Harold J. Brubaker (R)	Randolph	Asheboro
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39th District: (3) Forsyth (Part).

Theresa H. Esposito (R)	Forsyth	Winston-Salem
Lyons Gray (R)	Forsyth	Winston-Salem
Frank E. Rhodes (R)	Forsyth	Winston-Salem

40th District: (3) Alleghany, Ashe, Stokes (Part), Surry,
Watauga (Part).

David H. Diamont (D)	Surry	Pilot Mountain
Judy Hunt (D)	Watauga	Blowing Rock
Wade Wilmoth (D)	Watauga	Boone

41st District: (2) Alexander (Part), Wilkes, Yadkin.

John W. Brown (R)	Wilkes	Elkin
George M. Holmes (R)	Yadkin	Hamptonville

42nd District: (1) Iredell (Part).

J. Wayne Kahl (D)	Iredell	Union Grove
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43rd District: (1) Alexander (Part), Catawba (Part)
Iredell (Part).

C. Robert Brawley (R)	Iredell	Mooreville
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44th District: (4) Gaston, Lincoln.

J. Vernon Abernethy (R)	Gaston	Belmont
W. W. Dickson (R)	Gaston	Gastonia
John R. Gamble, Jr. (D)	Lincoln	Lincolnton
Johnathan L. Rhyne, Jr. (R)	Lincoln	Lincolnton

45th District: (2) Burke (Part), Catawba (Part).

Doris Rogers Huffman (R)	Catawba	Newton
W. Stine Eisenhower (R)	Catawba	Conover

46th District: (3) Alexander (Part), Avery, Burke (Part),
Caldwell, Mitchell, Watauga (Part).

Charles F. Buchanan (R)	Mitchell	Green Mountain
David T. Flaherty, Jr. (R)	Caldwell	Lenoir
George S. Robinson (R)	Caldwell	Lenoir

47th District: (1) Burke (Part).

Ray C. Fletcher (D)	Burke	Valdese
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48th District: (3) Cleveland, Polk, Rutherford.

John J. Hunt (D)	Cleveland	Lattimore
Edith L. Lutz (D)	Cleveland	Lawndale
William Withrow (D)	Rutherford	Ellenboro

49th District: (1) McDowell, Yancey.

Robert C. Hunter (D)	McDowell	Marion
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50th District: (1) Henderson (Part).

Larry T. Justus (R)	Henderson	Hendersonville
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51st District: (4) Buncombe, Transylvania, Henderson (Part).

Marie W. Colton (D)	Buncombe	Asheville
Narvel J. Crawford (D)	Buncombe	Asheville
Gordon H. Greenwood (D)	Buncombe	Black Mountain
Martin Nesbitt (D)	Buncombe	Asheville

52nd District: (2) Graham (Part), Haywood, Jackson, Madison,
Swain.

Charles M. Beall (D)	Haywood	Clyde
Liston B. Ramsey (D)	Madison	Marshall

53rd District: (1) Cherokee, Clay, Graham (Part), Macon.

Marty Kimsey (R) Macon Franklin

54th District: (1) Mecklenburg (Part).

John B. McLaughlin (D) Mecklenburg Newell

55th District: (1) Mecklenburg (Part).

David G. Balmer (R) Mecklenburg Charlotte

56th District: (1) Mecklenburg (Part).

Jo Graham Foster (D) Mecklenburg Charlotte

57th District: (1) Mecklenburg (Part).

Harry Grimmer (R) Mecklenburg Charlotte

58th District: (1) Mecklenburg (Part).

Ruth M. Easterling (D) Mecklenburg Charlotte

59th District: (1) Mecklenburg (Part).

W. Pete Cunningham (D) Mecklenburg Charlotte

60th District: (1) Mecklenburg (Part).

Howard C. Barnhill (D) Mecklenburg Charlotte

61st District: (1) Wake (Part).

Art Pope (R) Wake Raleigh

62nd District: (1) Wake (Part).

Larry M. Jordan (D) Wake Apex

63rd District: (1) Wake (Part).

Peggy Stamey (D) Wake Raleigh

64th District: (1) Wake (Part).

Bob Hensley (D) Wake Raleigh

65th District: (1) Wake (Part).

Aaron E. Fussell (D) Wake Raleigh

66th District: (1) Forsyth (Part).

Annie Brown Kennedy (D) Forsyth Winston-Salem

67th District: (1) Forsyth (Part).

Warren Oldham (D) Forsyth Winston-Salem

68th District: Durham

- Incorporated in District No. 23 as ordered by the Federal Courts.

69th District: Durham

- Incorporated in District No. 23 as ordered by the Federal Courts.

70th District: (1) Edgecombe (Part), Nash (Part), Wilson (Part).

Milton F. Fitch, Jr. (D) Wilson Wilson

71st District: (1) Nash (Part), Wilson (Part).

William W. Lewis (R) Wilson Wilson

72nd District: (1) Edgecombe (Part), Nash (Part).

Roy A. Cooper, III (D) Nash Rocky Mount

HOUSE JOURNAL

SESSION 1991

FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, January 30, 1991

This day, in accordance with the Constitution of the State of North Carolina and G. S. 120-11.1, which fixes the date for the meeting of the General Assembly of North Carolina, the Members of the House of Representatives assemble in the House Chamber of the State Legislative Building in the City of Raleigh at 12:00 Noon and are called to order by the Honorable Grace Collins, House Principal Clerk.

Prayer is offered by the Reverend James W. McGinnis.

The roll is called and one hundred nineteen Members-elect answer when their names are called. The Principal Clerk declares a quorum is present.

The one hundred nineteen Members-elect who are present, appear with proper certificates of election, take and subscribe to the following oath of office, which is administered by Justice Henry E. Frye, Supreme Court of North Carolina.

OATH FOR MEMBERS OF THE HOUSE OF REPRESENTATIVES 1991 SESSION

"I do solemnly swear or affirm that I will support the Constitution and laws of the United States; and,

"I do solemnly and sincerely swear or affirm that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and, "I do solemnly swear or affirm that I will faithfully discharge my duties as a Member of the 1991 House of Representatives of the General Assembly of the State of North Carolina, to the best of my skill and ability, so help me, God."

*District**Name*

1st

Vernon G. James
R. M. Thompson

2nd

Howard B. Chapin

3rd

Gerald L. Anderson
Daniel T. Lilley
William L. Wainwright

4th

Bruce Ethridge
Ronnie Smith
Robert Grady

5th

Howard J. Hunter

6th

Gene Rogers

7th

Thomas C. Hardaway

8th

Joe Mavretic

9th

Walter B. Jones, Jr.
Charles McLawhorn

10th

Charles W. Albertson

11th

John Kerr
Carolyn Russell

12th

Ed Bowen
Edd Nye

13th

Karen E. Gottovi
Harry E. Payne, Jr.

14th

E. David Redwine

15th

Leo Mercer

16th

Daniel H. DeVane
Adolph Dial
John C. Hasty

17th

Nick Jeralds
Mary E. McAllister

18th

R. D. Beard
John W. Hurley
Alex Warner

19th

C. P. Stewart
Dennis A. Wicker

20th	Barney Paul Woodard Billy J. Creech
21st	Daniel Blue, Jr.
22nd	John T. Church James W. Crawford James P. Green, Sr.
23rd	Paul Luebke H. M. Michaux, Jr.
24th	Anne C. Barnes Joe Hackney
25th	Fred Bowman Bertha Holt Sam Hunt Peggy Wilson
26th	Herman C. Gist
27th	Albert S. Lineberry Maggie Jeffus Joanne W. Bowie
28th	Mary Jarrell Steve Wood
29th	Michael P. Decker
30th	Arlie F. Culp
31st	Richard T. Morgan
32nd	Donald Dawkins
33rd	Foyle Hightower, Jr.
34th	Bobby H. Barbee Timothy Tallent Coy C. Privette Clayton Loflin
35th	Charlotte A. Gardner Bradford V. Ligon
36th	James B. Black
37th	Jerry C. Dockham Joe H. Hege, Jr. Julia C. Howard

38th	Harold J. Brubaker
39th	Theresa H. Esposito Frank E. Rhodes Lyons Gray
40th	David H. Diamont Judy Hunt Wade Wilmoth
41st	John W. Brown George M. Holmes
42nd	J. Wayne Kahl
43rd	C. Robert Brawley
44th	John R. Gamble, Jr. J. Vernon Abernethy, Jr. W. W. Dickson Johnathan Rhyne
45th	Doris Rogers Huffman W. Stine Isenhower
46th	Charles F. Buchanan David T. Flaherty, Jr. George S. Robinson
47th	Ray C. Fletcher
48th	John J. Hunt Edith L. Lutz William Withrow
49th	Robert C. Hunter
50th	Larry T. Justus
51st	Marie W. Colton Narvel J. Crawford Gordon H. Greenwood Martin Nesbitt
52th	Charles M. Beall Liston B. Ramsey
53rd	Marty Kimsey
54th	John B. McLaughlin
55th	David G. Balmer

56th	Jo Graham Foster
57th	Harry Grimmer
58th	Ruth M. Easterling
59th	W. Pete Cunningham
60th	Howard C. Barnhill
61st	Art Pope
62nd	Larry M. Jordan
63rd	Peggy Stamey
64th	Bob Hensley
65th	Aaron E. Fussell
66th	Annie Brown Kennedy
67th	Warren Oldham
70th	Milton F. Fitch, Jr.
71st	William W. Lewis
72nd	Roy A. Cooper, III

The Principal Clerk announces that the first order of business is the election of a Speaker and declares that nominations are in order.

ELECTION OF OFFICERS

The Chair recognizes Representative Marty Kimsey who places in nomination the name of Representative Johnathan Rhyne as the Republican Nominee for the Speaker of the House of Representatives.

“Madam Chair, Ladies and Gentlemen of the House, Distinguished Guests:

“Just as the small branches and creeks that rise from the Appalachian Mountains, that I call home, build together to form some of the great rivers of America, so too does the evidence that our forefathers were wiser than today’s crop of politicians and welfare state boosters.

“The philosophy of as little government as necessary – propounded by our forefathers – was neither arbitrary nor ideological in its origins; it was based on common sense observations of human history.

“Unfortunately, government – any government – is always the principal threat to liberty. As historian, Paul Johnson, so eloquently notes, ‘as government has grown in this century, it’s capacity to do evil has grown’.

“As how my nominee for speaker hails from Lincoln County, I think it quite appropriate that the founder of our party, Abraham Lincoln,

best described the proper role of government when he wrote, 'The legitimate object of government is to do for a community of people what ever they need to have done, but cannot do, at all, or cannot so well do for themselves — in their separate and individual capacities'.

"In all that the people can do as well for themselves, government ought not to interfere.

"President Lincoln went on to state what those basic necessities for government were.

"However, we have now gone far beyond those basic necessities of government, yet the necessities themselves are not what they should be.

"Many, however, still think that the social engineers will solve problems that have plagued mankind for centuries. Their beliefs are unshaken, even in the face of overwhelming evidence to the contrary.

"How can a system solve problems — insulated as it is by a centralized state government that makes the system itself immune from the consequences of its own inefficiencies. Therefore, being denied the learning experiences that reality imposes on those in the private sector.

"Yet many of you still insist that we must raise taxes. Do you know what you are *really telling* the people of North Carolina???? What you are really telling them is this — you are telling the hard working citizens of North Carolina that the legislature hasn't overspent — *You are just undertaxed!!*

"Just recently, MONEY Magazine revealed that of all fifty states, North Carolina is one of the 'Top ten tax hells'. Having the highest per capita taxes in the entire southeast!!

"Just after World War II, the average American family of 4 paid no income taxes at all; today, the same family would pay over \$6,000 in income taxes alone.

"Does this mean we can't do what really needs to be done?

"NO!!

"Granted, the litany of bad news is enough to put even Little Orphan Annie in the deep blue dumps. Housing is down, auto sales are slumping, the war, and the state budget is facing a huge shortfall. We all know about the educational crisis. We know that there are some parts of our state, and all too many of our people, left out and left behind, suffering from the tragedy of poverty that stretches over generations, and a sense of hopelessness only perpetuated by the bureaucratic welfare state.

"With right direction, the right course, all these crises are nothing more than opportunities for greatness. We should represent the force for a world made better by a deeper understanding of the nobility of the human spirit, which will dream, no matter what.

"I read recently that to many, empowerment means giving power to government to control our lives. But, empowerment *really* means not control over others, BUT, freedom to control one's own affairs. The

poor don't want paternalism – they want opportunities. They don't want the servitude of welfare, they want to get jobs and private property. They don't want dependency, they want a new declaration of independence!

“Today, in North Carolina, an Aid to Families With Dependent Children application is 63 pages long and takes over 2 1/2 hours for a social worker to complete. Not only that, but, then additional applications have to be filed for food stamps — and every other program. Such foolishness serves neither the social worker nor the needy, only the bureaucracy.

“80 cents of every dollar that is spent on programs to help those that can't help themselves is spent on the administration of the programs themselves.

“Eighty percent!!!

“This is not only obscene, but also immoral!!

“North Carolinians expect courage and leadership from their elected representatives. Therefore, we should have the courage to say, NO, you don't have some inherent right to a state job or state money when the job or the money spent is no longer serving the best interests of North Carolina. Yet, too, the courage to truly help those left out and left behind. This is a moral imperative for our state. It's the right thing to do, the right time to do it and we're the right people to help lead it. By reforming programs so that they give people a hand, instead of keeping them subservient to a handout. We must empower people to help themselves instead of raising taxes and adding regulations that only stand as a stumbling block, especially to those who most need opportunity..

“There are areas in the inner cities and some rural counties where we should not raise taxes but *actually* cut taxes by creating enterprise zones to help create jobs, opportunity and prosperity. When opportunity meets honest hard work economic levels are not static. Today's employees are tomorrow's employers, thereby creating more jobs for more employees, and allowing all to acquire private property, wealth and knowledge.

“Some times I think North Carolinians would be better off if they would learn to think a little more narrowly. Instead of nodding at 'high-falutin' reasons for the budget shortfall and 'threats to education', they should ask bluntly: 'Just what's in it for us? How much will we have to pay? Will education of our children improve?'

“If money alone would fix education, why hasn't it done so? We already spend far more, in some cases, twice as much per pupil than does Japan and Western Europe.

“Yet, where do you think children receive a better education?

“Of the 112,000 plus jobs in education in North Carolina, nearly half are not even class room related.

"I read something recently that is a sad, sad, testament to our system. In 1935, in the midst of the Great Depression, when resources were slim indeed, the average 8th grader knew more about history, world geography, and self government than does the High School graduate of today.

"How can we expect our students to know what's going on in Iraq if they can't find it on a world map.

"Isn't it time that we, at least, consider choice in our schools thereby allowing parents of all economic levels the opportunity to control and enhance their children's education. Some of these policies are beginning to be embraced elsewhere by diverse segments of the political spectrum, including Wisconsin state representative, Polly Williams, and Detroit council member, Reverend Keith Butler.

"The very least we must do is return control of local schools to local communities. With a 'goals oriented' system instead of a task oriented system, bureaucracy and administration would be cut to a bare minimum. Money sent to the local systems without strings attached, thus allowing for more education dollars to actually reach the classrooms. Local schools, run by local teachers, local principals, local school boards and, yes, most of all local parents. Talk about more parental involvement. You'll see it when parents have a say in the education of their children, you'll see PTA meetings and school board meetings that really mean something.

"We finally must realize that our job as legislators in America is not to evenly divide the pie but rather to help bake a bigger pie for all.

"As I have said, North Carolinians expect courage from their elected officials and there are those among us whom I believe have the courage to lead in these times of crisis and opportunity.

"My nominee for speaker is one of those. He understands that now is not the time to raise taxes on the already over taxed North Carolinian.

"He understands the lessons of the past and the principals of self government of our founding fathers. He understands that now is the time to fix our educational system and make it work for all our children who wish to learn.

"He understands that we must dedicate ourselves to the rebirth of human potential, freedom and equality of opportunity for all.

"That is why I proudly place in nomination for Speaker of the House, Johnathan L. Rhyne, Jr.

"Thank you."

The Chair is notified that no seconds are requested.

The Chair recognizes Representative Joe Hackney who places the name of Representative Daniel Blue, Jr. as the Democratic Nominee for the Speaker of the House of Representatives.

"Madam Principal Clerk, Members of the 1991 North Carolina House of Representatives, Families, Guests, Justice Frye, Judge Eagles, Judge Parker, Fellow North Carolinians:

"These will not be partisan political remarks.

"The beginning of each session of the General Assembly is the occasion for renewed optimism. It is an interval, usually brief, during which the problems of the past become secondary to the bright prospects of the future. And the person I nominate today is the symbol of that new optimism.

"With great pride, and at the direction of the eight-one assembled and united Democrats of this House, I hereby place in nomination, for the Office of Speaker, the name of Daniel T. Blue, Jr., of Wake County.

"First, and importantly, Daniel T. Blue, Jr. is a North Carolinian. He strives to be, rather than to seem. He is a product of a strong Robeson County family, many members of which are here today. He is a product of Oak Ridge High School; and North Carolina Central University, (perhaps our first math major as Speaker), and will bring to the speakership an appreciation of the value of public education and of higher education in North Carolina. And he is a product of the Duke Law School, where he received his professional training. He knows, as it was put by one of the ancient Greeks, that education is 'An ornament in prosperity and a refuge in adversity'.

"He is a product of this House of Representatives, which has served as the crucible for his public life. He has chaired committees; he has led the charge; he has fought and won; and on occasion, he has fought alone and lost. And he has earned the respect and affection of all.

"He is truly capable of being, as Kipling put it... 'A brother to a prince or a fellow to a beggar'.

"Daniel T. Blue, Jr. is a person of principle. He is aware of the Chinese proverb that 'He who sacrifices his conscience to ambition burns a picture to obtain ashes'.

"Daniel T. Blue, Jr. is a person of tact and civility. He knows that good will, like a good name, is gotten by many actions and lost by one.

"Daniel T. Blue, Jr. is a person who knows the importance of history. He is aware that many of our ancestors arrived on these shores less than 200 years ago; that 126 years ago in April, Sherman's troops marched into and occupied Raleigh, and our economy and infrastructure stood totally demolished; that less than one hundred years ago, Charles B. Aycock and the General Assembly of this state began the century of educational progress that continues unabated until this moment.

"He is aware that in that brief time, many courageous and committed men and women, of all races, have built, out of the small farms and small towns of our state, a strong economy, a great university system, a productive community college system, a system of free public education, and a network of roadways.

"Representative Blue's generation has watched, and been influenced by – not only foreign war, and not only tragic assassinations, but also those who led us out of war, out of violence, out of segregation, out of

disease, and out of ignorance. These advances did not happen without sacrifice and risktaking, and they did not happen without leadership.

"Daniel T. Blue, Jr. is a leader. A proverb tells us that where there is no vision, the people perish. A wise judge used to retort to me, when I was a fiery young prosecutor, 'Mr. Hackney, you'll be surprised how little difference my decision will make a hundred years from now'.

"The same is *not* true of our decisions this session. Daniel T. Blue, Jr. will lead us to build our universities, not allow them to atrophy. He will lead us to fund drug abuse and dropout prevention programs in our public schools, not neglect them.

"He will lead us to invest in technology and workforce training in our community colleges, not just allow us to slide into a service economy.

"In short, Daniel T. Blue, Jr. will lead us to make a difference, not to indifference. He can be the wind beneath our wings. And what a difference he *can make* — we can make — a hundred years from now.

"So as we organize this 1991 North Carolina House of Representatives, let us, under the leadership of Daniel T. Blue, Jr., meet the challenge laid down long ago by Abraham Lincoln:

'With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive to finish the work we are in.'

The nomination is seconded by Representative Easterling.

"Madam Chair, Members of the North Carolina House, Guests and Friends:

"I rise with great pleasure to second the nomination of Representative Dan Blue as Speaker of the North Carolina House of Representatives.

"He is eminently and uniquely qualified to lead us in the difficult and challenging days of the 1991-92 sessions of the General Assembly.

"*Difficult*, because of the constant and persistent worsening economic situation and the enormous and expanding needs of the state and its people — in all areas, geographic and social.

"*Challenging*, because of the immense opportunity for vision and innovation in arriving at solutions.

"I shall not dwell on his education and experience, his achievements and honors, of which Representative Hackney has so eloquently spoken.

"Representative Blue is without question a LEADER.

"It is a given that he has the knowledge and ability to be Speaker of the House, but has he the temperament and personality to do the job effectively? I think he has, and I will tell you why.

"I made a list of those qualities of character that are the intangible elements of leadership.

"I went to the Bible – to Shakespeare – to Goethe – to Homer – to modern day writers and philosophers for insight.

"He has *enthusiasm*, which is the genius of sincerity, and truth accomplishes no victories without it.

"He is *intelligent*: the test of a first-rate intelligence is the ability to hold two opposed ideas in the mind at the same time, and still retain the ability to function.

"*Wisdom* is one of the most illusive of qualities. It is amazing how ancient and modern writers agree on its practical meaning:

'Wisdom is to read right the present, and to march with the occasion. (Homer)

'Wisdom is to know what to do next. (Hoover)

'Wisdom is to know what to overlook. (William Jones)

'Wisdom consists of knowing what to do next, and *doing it*.' (David Jordan)

"Dan Blue meets these qualifications.

"Dignity and Honor:

'Where is there dignity unless there is also honesty? (Cicero).

'Confidence in another's honesty is no light testimony to one's own integrity. (Montaigne)

'Our own hearts, and not other men's opinions forms true honor.' (Coleridge)

"Dan has an innate dignity that does not depend on pomp and circumstance, although ceremony has its proper place. His trust in you and me attests to his own honor.

"Representative Blue has a *sense of humor*.

'Humor is one of the democratic experiences of mankind. Whatever may be our differences — age, education, experience, religion, politics — the moment we laugh together in appreciating a joke, we are, for that golden moment, united and equal.' (Marius Risley)

"Dan's sense of humor will stand him in good stead as Speaker of the House.

"Courtesy — Patience — Good Manners:

"These qualities are so interwoven that to have one implies a grasp of the others.

'Life is not so short but that there is always time for courtesy.' (Emerson)

"Dan has time.

'Keep strong, if possible. In any case, keep cool. Have unlimited patience.' (B.H.L. Hart)

"Unfailing good manners is one of Dan's strong points. No matter how he disagrees with one, he has respect for another's opinion and point of view.

"Representative Blue has a knowledge of parliamentary procedure and a sense of organization and structure that will operate to expedite the business of the House: all the time that's necessary — no time for grandstanding and wasting of resources.

"And finally,

"Dan Blue has integrity and a sense of stewardship.

'This above all to thine own self be true, and it must follow, as the night the day, thou canst not then be false to any man.' (Shakespeare)

"What he is in private is what we see in the light of day.

"Dan Blue knows that: The past is our heritage; The present is our responsibility; The future is our challenge.

"I believe he is the man for the hour.

"I proudly second the nomination of Dan Blue for Speaker of the House.

"Thank you."

The nomination is seconded by Representative Hardaway.

"Madam Clerk, Members of the House, Members of Representative Blue's Family and Visiting Guests:

"It gives me great pleasure to stand before you today to second the nomination of my friend and colleague, Representative Daniel T. Blue, Jr. as Speaker of the 1991 Session of the North Carolina General Assembly.

"I am indeed honored to be allowed this once-in-a-lifetime opportunity to participate in the making of history. Not only for our great state, but also for our nation. Also, I am extremely proud to second the nomination of a person who is eminently qualified to assume the position of Speaker of the House. A position which will require him to be a leader, not only for this Great Body, but also for the people of North Carolina.

"We face demanding and unsure times. In many ways, not unlike Columbus when he set out to discover a new world, or Dr. Martin Luther King, Jr. when he set out to discover the truth and promises embodied in our Constitution and Bill of Rights for all citizens.

"Surely Dan, not unlike those two men of courage, you are filled with hope and faith that your leadership will be up to the task; that you will reach your goals as they did. Just as these men faced rough and

uncertain times, we as members of this great body will face similiar challenges in the days ahead. But it is in moments of frustration and crisis that we must call upon our courage, our integrity, our vision and our faith in God.

"As it is written in the book of Deuteronomy... 'Be of a good courage; fear not; nor be afraid, for it is God that goes with us; He will not fail us, nor forsake us'.

"Dan, knowing you as I do, I am confident that in moments of uncertainty and conflicting interests, you *will* have the courage to guide us in fullfilling our mission, that of ensuring the continued welfare of our state and its people.

"In this time of global conflict, we look to national leadership. In this time of dwindling state resources, we *must* look to state and local leadership. And, because leadership means sometimes making mistakes, let us remember that the galleries will be full of critics. They fight no fights. They make no mistakes because they make no attempts. In every arena are the doers, and in this arena, we will be the doers. We will make mistakes and we will attempt many things. With God's help and your leadership we will find creative solutions to difficult problems.

"Ladies and gentlemen, my fellow colleagues, again, let me say that it gives me great pleasure to second the nomination of Daniel T. Blue, Jr. as our next Speaker of the North Carolina House. Thank you."

The nomination is seconded by Representative Ed Bowen.

"*I SECOND THE NOMINATION* of Dan Blue to be Speaker of the North Carolina House of Representatives. Dan Blue is North Carolina. He knows our Coast from Corolla to Calabash. He knows inland North Carolina from the tobacco fields of Robeson County through industrial Piedmont. No person holds a larger and more compassionate umbrella over our entire population that is rapidly approaching the seven million mark.

"*TRUE, THIS SESSION* of the General Assembly is headed into some stormy seas in areas of budgeting, redistricting, education, and environment, to name a few. However, under the leadership of Governor Martin, Speaker Blue, President Pro Tem of the Senate, Henson Barnes, and with the cooperation of Lieutenant Governor Gardner, our ship State can be piloted into more placid waters.

"*THERE IS ONE QUESTION* asked from many quarters. Why Dan Blue? It's Dan Blue time, and in North Carolina it's time for Dan Blue. In this great nation of ours anyone that aspires for public office says that when elected, qualification will be the only criteria used in the selection process. All of us say it, many believe it, but the North Carolina House of Representatives does it.

"*I KNOW THAT THIS* is a time for a long and eloquent speech, but any speech that I make is certainly long enough and I am sure that it is audible and visible to everyone here that I am very short on eloquence.

"*THEREFORE*, anymore time that I use will prolong a happening that I have been looking forward to for many months. So, I say, let's get on with it.

"*BELONGING TO AN OLDER* generation and coming from rural eastern North Carolina, I am extremely grateful for the opportunity to second the nomination to this important position — a black man named Blue, and in doing so, it makes me the happiest redneck in North Carolina.

"Thank you."

There being no further nominations, the Principal Clerk declares the nominations closed and requests that the roll of the House be called.

The following members vote for Representative Blue: Representatives Albertson, Anderson, Barnes, Barnhill, Beall, Beard, Black, Blue, Bowen, Bowman, Brawley, Chapin, Church, Colton, Cooper, J. W. Crawford, N. J. Crawford, Cunningham, Dawkins, DeVane, Dial, Diamont, Easterling, Ethridge, Fitch, Fletcher, Foster, Fussell, Gamble, Gist, Gottovi, Green, Greenwood, Hackney, Hardaway, Hasty, Hensley, Hightower, Holt, Jack Hunt, Judy Hunt, S. Hunt, H. Hunter, R. Hunter, Hurley, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Kerr, Lilley, Lineberry, Luebke, Lutz, McAllister, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Nesbitt, Nye, Oldham, Payne, Ramsey, Redwine, Rhodes, Rogers, Smith, Stamey, Stewart, Thompson, Wainwright, Warner, Wicker, Wilmoth, Withrow, Wood, and Woodard — 83.

The following members vote for Representative Rhyne: Representatives Abernethy, Balmer, Barbee, Bowie, Brown, Brubaker, Buchanan, Creech, Culp, Decker, Dickson, Dockham, Esposito, Flaherty, Gardner, Grady, Gray, Grimmer, Hege, Holmes, Howard, Huffman, Isenhower, Justus, Kimsey, Lewis, Ligon, Loflin, Morgan, Pope, Privette, Rhyne, Robinson, Russell, Tallent, and Wilson — 36.

Representative Blue having received a majority vote is declared Speaker of the 1991 House of Representatives.

The Speaker, escorted to the Chair by Representatives Pete Cunningham, Ray Fletcher, Aaron Fussell, Karen Gottovi, Nick Jeralds, and Peggy Stamey, takes and subscribes to the following oath of office administered by Justice Henry Frye, North Carolina Supreme Court.

"I, DANIEL T. BLUE, JR., do solemnly swear that I will support the Constitution and laws of the United States; and,

"I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States; to the best of my knowledge and ability; and,

"I do solemnly swear that I will well and truly execute the duties of the office of Speaker of the 1991 House of Representatives of the General Assembly of the State of North Carolina to the best of my skill and ability, according to laws; so help me, God."

The Speaker, Mr. Blue, approaches the dias and makes the following remarks:

"It is a great honor and historic distinction that you have bestowed on me today. I accept the office of Speaker of the North Carolina House of Representatives with a deep sense of humility and an even deeper commitment to lead and guide this House intelligently and fairly so that all citizens will be equally heard and represented.

"As representatives of over six and a half million people of this state, we represent collectively the struggle and the success, the hope and the despair, the growth and the stagnation, the future and the past that is North Carolina. We are North Carolina.

"We begin a new session of the North Carolina House of Representatives with an obligation to tradition and an opportunity for the new.

"As I become the Speaker of the House, I know that I follow the tradition of exceptional leaders who set extraordinarily high standards for all who come after them.

"It is a tradition of guiding the House membership toward fulfilling that great public purpose through affirmative government. It is a tradition of deliberation and consensus.

"It is a tradition of providing strong leadership in times of certainty and in times of uncertainty.

"I feel very fortunate to have the benefit of two former speakers as sitting members of this House. They have provided unqualified support and great help to me as we prepared to begin this session.

"The speakerships of these two men underscore the tradition of visionary leadership in this House. Their experience and insights are invaluable. For their time and talent which they have so unselfishly given to this House and for their great dedication to helping the people of this state, I thank them. And I know the people of North Carolina thank them. Ladies and gentlemen, please join me in expressing our deep appreciation to two North Carolinians whose determination and wisdom have improved our state: Liston Ramsey and Joe Mavretic.

"Members of the House have a tradition of being firmly united partners in the democratic process in working toward our common public mission. And although times and circumstances change and challenge us, our mission has always remained fixed and inviolate. Our priority of commonwealth over individual wealth has allowed this state to flourish and assume leadership in the South.

"Today we celebrate both renewal and change – an opportunity for the new. It is a change of leadership with a new generation of ideas and goals, but it is a renewal of our uncompromising commitment to provide opportunities – economic, educational, political, and cultural – and fair treatment to all the citizens of this state. It is a renewal of an American heritage to which we are all heirs, and it is part of the culture we have in common with each other.

"This commitment is the reason we are all here; it is not the personal political gain or the personal fame or fortune which brings men and women to public service. Rather it is the personal opportunity to convert imagination and indignation into substantive public policies.

"Today that opportunity for the new is the assumption of a major challenge. We 120 members of North Carolina House of Representatives start a session in a time of world turmoil, national economic slowdown, a severe state budget crisis, and general uncertainty about our tomorrows. To meet those challenges and resolve the problems before us, I ask you today to lay aside confrontive partianship and political rhetoric and to join me in seeking constructive cooperative solutions.

"Today we accept that demanding challenge, for this session will be one of vital decisions. We will be asked to be both idealistic and pragmatic. We will be asked to correct social and economic inequality at the same time that we will be asked to preserve rights, privileges, and the status quo. We will be asked to intensify our efforts to provide our children with adequate education and training, while at the same time we will be asked to decrease those efforts. We will be asked to protect our fragile environmental resources at the same time that we will be asked to approve unrestrained infringement on those resources. The past has shown that we can battle over these issues; the future must show that we have the will to resolve them.

"The tradition of the North Carolina House of Representatives has been one of constant determination and the unwavering purpose to ensure a bright future for our state and our citizens – one where we respond to adversities and crises with courage and innovative solutions.

"The 1931 and 1933 sessions of the General Assembly took place during the depths of the great Depression. The members of our legislature met those adversities and crises by reordering priorities. They changed the state tax structure. They established statewide funding for our public schools. They assumed responsibility for local road and highway maintenance. They created a consolidated university system.

"It is this forward thinking philosophy which characterizes the spirit of the men and women who served in the legislature before us. They took bold steps to ensure that this state would be able to meet the demands of an ever changing world. They dared to take risks for the future of this state. It is this proud legacy which propelled North Carolina into a leadership position in the South and has kept it there.

"The 1991 session will direct us to define our common interests and goals. It will test our abilities to resolve the issues which should unite us rather than labor those which divide us. It will test our personal determination and fortitude. it will test our capacity to re-examine and reappraise what goes into public policy. We must define where we want to be in 2002, not let events limit our sights to 1992.

"As I assume the responsibility of the speakership, I ask for your help! I will look to you to provide inventiveness, opinions, and solutions to the many issues we will face.

"We must ensure that education and potential are developed. While some fear that we must move to equalize school funding across this state lest we face a lawsuit, I fear that we must equalize school funding across this state lest we face the hundred of thousands of young people who, simply because of geography, will be denied the opportunity to develop

into what God gave them the potential to be. Additionally we must provide transportation networks to move people in and through our urban areas while continuing our efforts in rural areas. We must invigorate our rural economy through training and economic expansion. We must redistrict our state fairly. We must protect our environment. And in achieving these goals, we must try to expand opportunities and results, not government.

"These challenges are not mine alone; they are not yours alone. They are ours together.

"So as we begin the deliberative process of this session, know that the future of North Carolina is being written not only by those who are affluent and have had exceptional privileges and opportunities but also by those who continue to have a marginal level of existence. Those who are educationally and economically underprivileged, and those who are spiritually discouraged. If that future is to be successful, then we must ensure broad and equal opportunities for all of our people.

"As John F. Kennedy stated in addressing the Massachusetts State Legislature in 1961: 'And when at some future date the high court of history sits in judgment on each of us, recording whether in our brief span of service we fulfilled our responsibilities to the state, our success or failure,.....will be measured by the answers to four questions: First, were we truly (representatives) of courage...Second, were we truly (representatives) of judgment...Third, were we truly (representatives) of integrity...Finally, were we truly (representatives) of dedication?'

"Those questions are more than rhetorical. They apply to all of us. And I hope that we will meet our responsibilities with the courage, good judgment, integrity, and dedication to move our state forward.

"To everything there is a season, and a time to every purpose under heaven. So my friends, this is the time and season for North Carolina to look forward in its purposes, not backwards.

"With an obligation to our tradition and an opportunity for the new, I assure you that the House will be governed in an open and fair manner. With great humility but firm resolve, I accept the challenge, the responsibility, and the office of Speaker of the North Carolina House of Representatives and pray that God blesses all of us in our endeavors."

The Speaker assumes the duties of the Chair.

On motion of Representative Wicker, the courtesies of the floor are extended to the following members of Speaker Blue's family:

Edna Earle Blue, wife

Kanika Blue, daughter

Dhamian Blue, son

Daniel T. Blue, III, son

Daniel and Allene Blue, parents

Marilyn Blue Huling, sister

Debra Blue Graham, sister

Hurbert Blue, brother.

ADOPTION OF TEMPORARY RULES

Representative Cooper is recognized and offers Amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, and 9 to the permanent rules of the House of Representatives for 1989, which are adopted.

Representative Pope offers Amendment No. 10.

Representative Cooper moves that Amendment No. 10 be received by the House and placed on the Calendar for the tenth legislative day for consideration.

Representative Pope calls for the "ayes" and "noes" on the motion and the call is sustained.

Representative Cooper's motion to place Amendment No. 10 on the Calendar on the tenth legislative day carries by the following vote:

Those voting in the affirmative are: Representatives Albertson, Anderson, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowman, Buchanan, Chapin, Church, Colton, Cooper, J. W. Crawford, N. J. Crawford, Cunningham, Dawkins, DeVane, Dial, Diamont, Easterling, Ethridge, Fitch, Fletcher, Foster, Fussell, Gamble, Gist, Gottovi, Green, Greenwood, Hackney, Hasty, Hensley, Hightower, Holt, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Kerr, Lilley, Lineberry, Luebke, Lutz, McAllister, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Nesbitt, Nye, Payne, Ramsey, Redwine, Rhodes, Robinson, Rogers, Smith, Stamey, Stewart, Thompson, Wainwright, Warner, Wicker, Wilmoth, Withrow and Woodard - 80.

Voting in the negative are: Representatives Abernethy, Balmer, Barbee, Bowie, Brown, Brubaker, Creech, Culp, Decker, Dickson, Dockham, Esposito, Flaherty, Gardner, Gray, Grimmer, Hege, Holmes, Howard, Huffman, Isenhower, Justus, Kimsey, Lewis, Ligon, Loflin, Morgan, Pope, Privette, Rhyne, Russell, Tallent, Wilson, and Wood - 34.

Excused absences: None.

On motion of Representative Cooper the permanent rules of the 1989 House of Representatives, as amended, are adopted as temporary rules for the 1991 House of Representatives. The adopted amendments are as follows:

Amendment #1

Rule 5(3) of the Temporary House rules is rewritten to read:

"(3) Reports of standing committees and permanent subcommittees;"

Amendment #2

Rule 20(h) of the Temporary House Rules is rewritten to read:

“(h) For the purpose of identifying motions on which the vote is taken on the electronic system, the motions are coded as follows:

1. To adjourn
2. To lay on the table
3. To postpone indefinitely
4. Previous question
5. To reconsider
6. To postpone to a day certain
7. To re-refer
8. To amend an amendment
9. To amend
10. To substitute
11. To concur or not concur
12. Miscellaneous”.

Amendment #3

Rule 26 of the Temporary House Rules is rewritten to read:

“RULE 26. Standing Committees and Permanent Subcommittees Generally.—(a) The Speaker shall appoint a Chair, or Cochairs, of every standing committee and select committee, if any. The Speaker shall have the exclusive right and authority to establish select committees, but this does not exclude the right of the House by resolution to establish select committees.

“(b) All permanent subcommittees of each standing committee shall be appointed by the Speaker and the members appointed, along with the Chair of the standing committee, shall constitute the standing committee of which the permanent subcommittee is a part. The Speaker shall appoint all members of permanent subcommittees at the beginning of the first regular session in a manner to reflect the partisan membership of the House.

“(c) The Speaker shall appoint the members of all standing committees having no permanent subcommittees.

“(d) The first member announced on each permanent subcommittee shall be the Chair, and where the Speaker so desires he may designate one Vice-Chair.

“(e) Each Chair of a permanent subcommittee shall be a Vice-Chair of the standing committee of which it is a permanent

subcommittee. The Speaker may name other members as Vice-Chairs of the standing committee. The Speaker may name one or more Vice-Chair for any standing committee not having permanent standing subcommittees.

“(f) Either the Chair or Acting Chair, designated by the Chair or by the Speaker, and five other members of the standing committee or permanent subcommittee, or a majority of the standing committee or permanent subcommittee, whichever is fewer, shall constitute a quorum of that standing committee or permanent subcommittee.

“(g) In any joint meeting of the Senate and House committees or subcommittees, the House standing committee or permanent subcommittee reserves the right to vote separately.”.

Amendment #4

Rule 27 of the Temporary House Rules is rewritten to read:

“RULE 27. List of Standing Committees and Permanent Subcommittees.— The standing committees and permanent subcommittees thereof are:

<i>Committee</i>	<i>Subcommittees</i>
Appropriations	<ul style="list-style-type: none"> –General Government –Human Resources –Justice and Public Safety –Environment, Health and Natural Resources –Transportation –Public Education –Higher Education
Agriculture	<ul style="list-style-type: none"> –Aquaculture –Forestry, Horticulture and Wildlife –Crops and Animal Husbandry
Commerce	<ul style="list-style-type: none"> –Financial Institutions –Insurance –Housing
Courts, Justice, Constitutional Amendments and Referenda	(None)
Economic Expansion	<ul style="list-style-type: none"> –Travel, Tourism and Economic Development –Labor Relations and Employment –Small Business

Education	-Pre-School, Elementary and Secondary Education -University Education and Affairs -Community Colleges
Environment	-Solid Waste -Water, Air and Soil -Hazardous Waste
Ethics	(None)
Finance	-Local and Regional Government Revenue -State Revenue -Ways and Means
Human Resources	-Aging -Children, Youth, and Families -Health and Mental Health
Judiciary I	(None)
Judiciary II	(None)
Judiciary III	(None)
Local and Regional Government I	(None)
Local and Regional Government II	(None)
Pensions and Retirement	(None)
Public Employees	(None)
Public Utilities	(None)
Legislative and Local Redistricting	(None)
Congressional Redistricting	(None)
Rules, Appointments, and Calendar	(None)
Science and Technology	(None)
State Government	-Boards and Commissions -State Parks, Facilities and Property -Military, Veterans and Indian Affairs

Transportation

–Highways
–Public Transportation
–Airports, Railways, and
Waterways”.

Amendment #5

Rule 31.1 of the Temporary House Rules is rewritten to read:

“RULE 31.1. Deadlines on Introduction and Receipt of Bills.—(a) All bills or resolutions recommended by commissions or standing committees authorized or directed by act or resolution of the General Assembly to report to the 1991 Regular Session of the General Assembly, or to report prior to convening of that session, must be introduced not later than the third Wednesday in February (February 20) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Wednesday (February 27) shall be treated as if it had been introduced pursuant to this subsection.

“(a1) All bills prepared to be introduced for departments, agencies, or institutions of the State must be introduced not later than the third Thursday in March (March 21) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Thursday (March 28) shall be treated as if it had been introduced pursuant to this subsection.

“(a2) All local bills must be introduced not later than the first Thursday in April (April 4) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Thursday (April 11) shall be treated as if it had been introduced pursuant to this subsection.

“(b) All public bills not containing appropriations or tax law changes must be introduced not later than the second Thursday in April (April 11) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Thursday (April 18) shall be treated as if it has been introduced pursuant to this subsection.

“(c) All public bills containing appropriations or tax law changes must be introduced not later than the first Thursday in May (May 2) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Thursday (May 9) shall be treated as if it had been introduced pursuant to this subsection.

“(c1) All resolutions, except those honoring the memory of deceased persons or adjourning the General Assembly must be

introduced not later than the second Thursday in May (May 9) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Thursday (May 16) shall be treated as if it had been introduced pursuant to this subsection.

“(d) In order to be eligible for consideration by the House during the first regular session, all Senate bills other than finance or appropriations bills or adjournment resolutions, must be received and read on the floor of the House as a message from the Senate no later than May 16; provided that a message from the Senate received by the next legislative day stating that a bill has passed its third reading and is being engrossed shall comply with the requirements of this subsection and provided that the Senate has a similar rule.

“(e) This rule does not apply to bills establishing districts for Congress or State or local entities.”.

Amendment #6

Rule 32 of the Temporary House Rules is rewritten to read:

“RULE 32. Reference to Standing Committee and to Permanent Subcommittees.—(a) Each bill, joint resolution, or House resolution not introduced on the report of a standing committee shall immediately upon its first reading be referred by the Speaker to such standing committee as he deems appropriate.

“(b) The standing committee Chair may refer each bill referred to the standing committee to the permanent subcommittee specifically charged with the subject matter of the bill. A report of that referral shall be made in writing and submitted to the body pursuant to rule 5(5). Except as provided in Rule 36, the permanent subcommittee to which the bill is referred shall report the bill back to the full standing committee. That report shall be a recommendation and include a recommendation as follows:

- ‘(1) Favorable, without prejudice, or unfavorable as to the original bill;
- ‘(2) Favorable, without prejudice, or unfavorable as to the original bill, as amended;
- ‘(3) Unfavorable to the original bill, and favorable, or without prejudice, to the proposed committee substitute;
- ‘(4) Favorable as to the original bill with the recommendation that the report be made directly to the floor of the House, if approved by the standing committee Chair;
- ‘(5) Favorable to the original bill, as amended, with the recommendation that the report be made directly to the floor of the House, if approved by the standing committee Chair;
- ‘(6) Unfavorable to the original bill and favorable to the proposed committee substitute with the recommendation that the report

be made directly to the floor of the House, if approved by the standing committee Chair.'

"Any recommendation of favorable or without prejudice may include a recommendation of re-referral to another standing committee. After a bill is reported to a standing committee by a permanent subcommittee of that standing committee, the standing committee Chair may re-refer the bill to another permanent subcommittee of that standing committee.

"Upon recommendation to the standing committee the bill shall be before that body for further action unless the permanent subcommittee Chair reports the bill directly pursuant to Rule 36.

"(c) When a committee substitute is adopted by a permanent subcommittee or a standing committee for a bill which was introduced with no substantive provisions and the committee substitute deletes a majority of the provisions of the original bill and adds provisions that are not germane to the original bill, no further action may be taken by any standing committee or permanent subcommittee upon such bill until the 2nd legislative day thereafter."

Amendment #7

Rule 36 of the Temporary House Rules is rewritten to read:

"RULE 36. Report by Standing Committee or Permanent Subcommittee.—All House bills and resolutions shall be reported from the standing committee or permanent subcommittee to which referred with such recommendations as the standing committee or permanent subcommittee may desire to make except in the case where the principal introducer requests in writing to the Chair of the standing committee or permanent subcommittee that the bill not be considered.

"With the written approval of the Chair of the standing committee and with the recommendation of the subcommittee pursuant to Rule 32(4) through (6), the Chair of the permanent subcommittee may report the bill directly to the floor.

"(a) **Favorable Report.** When a standing committee or permanent subcommittee reports a bill with the recommendation that it be passed, the bill shall be placed on the favorable calendar for the next succeeding legislative day; except that committee substitutes for bills shall be placed on the favorable Calendar for the second next succeeding legislative day after being reported. When a committee substitute is adopted and receives a favorable report by the committee or permanent subcommittee, the standing committee or permanent subcommittee Chair shall submit to the standing committee or permanent subcommittee the question of an unfavorable report on the original bill. The standing committee's or permanent subcommittee's action, if any, on the original bill shall be reported at the same time the committee substitute is reported.

"(b) **Report Without Prejudice.** When a standing committee reports a bill without prejudice, the bill shall be placed on the favorable calendar.

“(c) **Postponed Indefinitely.** When a standing committee reports a bill with the recommendation that it be postponed indefinitely, and no minority report accompanies it, the bill shall be placed on the unfavorable calendar.

“(d) **Unfavorable Report.** When a standing committee reports a bill with the recommendation that it be not passed, and no minority report accompanies it, the bill shall be placed on the unfavorable calendar.

“(e) **Minority Report.** When a bill is reported by a standing committee with a recommendation that it be not passed or that it be postponed indefinitely, but it is accompanied by a minority report signed by at least one-fourth (1/4) of the members of the standing committee who were present and voting when the bill was considered in standing committee, the question before the House shall be: ‘The adoption of the minority report.’ If the minority report is adopted by majority vote, the bill shall be placed on the favorable calendar for consideration. If the minority report fails of adoption by a majority vote, the bill shall be placed on the unfavorable calendar.”.

Amendment #8

Rule 45(c) of the Temporary House Rules is rewritten to read:

“(c) The House shall elect a Principal Clerk, a Reading Clerk and a Sergeant-At-Arms, each of whom shall have and perform such duties and responsibilities not inconsistent with these Rules as the Speaker may assign. The Principal Clerk shall continue in office until another is elected. The Reading Clerk and Sergeant-At-Arms shall serve at the pleasure of the Speaker.”.

Amendment #9

Rule 62 of the Temporary House Rules is rewritten to read:

“**RULE 62. Matters not Covered in These Rules.**—Except as herein set out the rules of Mason’s Manual of Legislative Procedure shall govern the operation of the House.”.

POINT OF PERSONAL PRIVILEGE

Representative Rhyne rises on a point of personal privilege and congratulates Mr. Blue upon his election as Speaker and pledges cooperation from the Minority Party Caucus for a progressive session of the General Assembly.

ELECTION OF OFFICERS CONTINUED

SPEAKER PRO TEMPORE

The Speaker announces that nominations are in order for Speaker Pro Tempore.

The Chair recognizes Representative Doris Huffman who places the name of Representative Theresa Esposito as the Republican nominee for Speaker Pro Tempore.

"Mr. Speaker, Distinguished Visitors and Guests, Ladies and Gentlemen of the House:

"Nestled in the heart of the progressive city of Winston-Salem lies the old town of Salem.

"Salem was founded in 1766 by devout people who believed that the *work* of their hands, a strong *faith*, a sense of *order*, a *love of education*, an *abhorrence* of violence, and a deep *concern* for others, were values to be desired; indeed, *necessary* for a full and productive life.

"**Representative Theresa Esposito** is a person who exemplifies these values.

"It is indicative of her concern and abiding love for children that she serves on the National Commission on Children. (An appointment, by the way, that should be a source of pride for all North Carolinians.)

"I consider it a high honor to place her name in nomination for election to the office of Speaker Pro Tempore.

"The Speaker Pro Tempore must be a person held in high esteem by her colleagues, one who is worthy of trust, and perhaps most important of all, one who displays leadership.

"I believe few of us would deny that this session, newly convened, will be a challenging one. It will require the best in each of us to meet the needs of children in the classroom, to improve and expand our prison system, to provide for the needs of the disadvantaged, the disabled, and the aging, to secure new economic opportunities for our citizens, to protect the God-given resources of this good land, — and to do so without additional hardship on the taxpayers.

"This can only be accomplished with the full participation of every member without regard for geographic location, special interest, or political party.

"I am confident that **Theresa Esposito** if elected Speaker Pro Tempore, possesses the wisdom and skill to work with the speaker and with each member of the North Carolina House to meet this challenge."

The Chair is notified that no seconds are requested.

The Chair recognizes Representative Judy Hunt who places the name of Representative Marie W. Colton as the Democratic nominee for Speaker Pro Tempore.

"I am honored to nominate Marie Watters Colton for the office of Speaker Pro Tempore in the 1991 House of Representatives.

"The office of Speaker Pro Tem is one that I have observed closely during certain years. I know how important it is for the Speaker and all members to be able to communicate easily with this person. Marie Colton has a gracious style and friendly manner which will serve all the new members and returning members well.

"Marie Colton has spent many years helping other people. For the last 12 years she has served others by serving in the N. C. House of

Representatives. This type of service is not new or unusual for Marie because five of her great grandfathers have also served in the General Assembly.

"Born in Mecklenburg County and a graduate of UNC-Chapel Hill, Marie is married to Henry E. Colton, and they live in Asheville. They are the parents of four children: Elizabeth, Marie, Sarah and Walter and the grandparents of 7.

"Marie is a member of Business & Professional Women, American Association of University Women and numerous other organizations and boards.

"The Sierra Club honored her as Legislator of the Year in 1989. Also, she received the Legislator of the Year award from the NC Wildlife Federation in 1989. And the NC Association of Social Services voted her Legislator of the Year in 1989. These three distinctive groups have recognized the outstanding work of Marie Colton.

"She has become known in the House of Representatives and much of N. C. for her diligent work on behalf of children and her efforts to see that we all are better stewards of the earth's resources. What could be of more substance than work with our children who are our future and preservation of our environment without which we have no future. All of this I believe proves that Marie Colton is truly a woman of substance.

"Thank you for your support of Marie Colton as Speaker Pro Tem."

The nomination is seconded by Representative Ethridge.

"Mr. Speaker, Ladies and Gentlemen of the House and Special Guests:

"It is indeed my *high honor and privilege* to *second the nomination* of Representative Marie Colton *as the first woman to serve as Speaker Pro Tem* of the North Carolina House of Representatives.

"Today – by the election of our Speaker and Speaker Pro Tem we are establishing North Carolina as a leader in our nation in recognizing the worth of every individual.

"This is truly a great day in our history as we recognize that there is no limit on what you can achieve no matter what your race or sex happens to be.

"Today – we could not pick a more deserving person for *Speaker Pro Tem* than our good friend and colleague Representative Marie Colton.

"Representative Colton has served the people of her district and this state *well* for the past 12 years.

"Her record of service will show that she has been a strong supporter of those programs that reach out to help 'the least of these' – especially early intervention for our at-risk children.

"She has been recognized for her work in behalf of consumer protection and has been a leader in supporting legislation that helps us protect our fragile environment.

"Representative Colton has the ability, concern and desire to help lead us in meeting the tremendous challenges that we will face this session.

"Please join me in electing Representative Marie Colton as our next Speaker Pro Tem.

"Thank you."

There being no further nominations, the Speaker declares the nominations closed and requests that the roll of the House be called.

The following members vote for Representative Colton: Speaker Blue; Representatives Albertson, Anderson, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowman, Chapin, Church, Colton, Cooper, J. W. Crawford, N. J. Crawford, Cunningham, Dawkins, DeVane, Dial, Diamont, Easterling, Ethridge, Fitch, Fletcher, Foster, Fussell, Gamble, Gottovi, Green, Greenwood, Hackney, Hardaway, Hasty, Hensley, Hightower, Holt, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Kerr, Lilley, Lineberry, Luebke, Lutz, McAllister, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Nesbitt, Nye, Oldham, Payne, Ramsey, Redwine, Rogers, Smith, Stamey, Stewart, Thompson, Wainwright, Warner, Wicker, Wilmoth, Withrow, and Woodard - 79.

The following members vote for Representative Esposito: Representatives Abernethy, Balmer, Barbee, Bowie, Brown, Brubaker, Creech, Culp, Decker, Dickson, Dockham, Esposito, Gardner, Gray, Grimmer, Hege, Holmes, Howard, Huffman, Isenhower, Justus, Kimsey, Lewis, Ligon, Loflin, Morgan, Pope, Privette, Rhyne, Russell, Tallent, Wilson, and Wood - 33.

Representative Colton having received a majority vote is declared Speaker Pro Tempore.

The Speaker Pro Tempore, escorted to the dias by Representatives Narvel J. Crawford, Gordon Greenwood, Martin L. Nesbitt, and Bertha Holt, takes and subscribes to the following oath of office administered by Judge Sarah Parker, North Carolina Court of Appeals.

"I, MARIE W. COLTON, do solemnly swear that I will support the Constitution and laws of the United States; and,

"I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States; to the best of my knowledge and ability; and,

"I do solemnly swear that I will faithfully discharge my duties as Speaker Pro Tempore of the 1991 House of Representatives of the General Assembly of the State of North Carolina to the best of my skill and ability; so help me, God."

The Speaker Pro Tempore, Representative Colton, makes the following remarks:

"As I stand here in the company of my colleagues and supported by family and friends, I confess this is a very emotional experience for me. I will always cherish the honor of being elected Speaker Pro Tem for this session of the House of Representatives. It is a double privilege that I – as the first woman to be elected Speaker Pro Tem – follow in the tradition of another Western legislator. Seventy years ago LILLIAN EXUM CLEMENT, ALSO FROM ASHEVILLE, became the first female elected to this august body. The New York Times reported: 'Western North Carolina Takes the Lead, Miss Clement First Woman Legislator *in the South*.' Thanks to Miss Clement we have voting booths at the polls, insuring a secret ballot.

"You all realize we face what are probably the most difficult problems for State Government that we have faced in recent memory. I think of the poetic words of Robert Frost 'We have promises to keep, and miles to go before we sleep.'

"It has long been the tradition in North Carolina to find the solutions to difficult problems. The seriousness of the issues which will come before us this session demands that we put aside political concerns and dedicate ourselves unselfishly to the task we have been given. North Carolinians have always been a creative people; we must use our creativity now!

"Of course I will support the Speaker and his program. I expect to give Dan Blue my ideas and concerns. I know he would like for every member of the House to do likewise. I know that all of you have already given serious thought to what we should do in this session. I will mention a few of my major concerns.

"Everyone in North Carolina is aware of the serious shortfall in state revenues. We *must* keep the Ship of State afloat. My question is: should we not first strive in every way to tighten the state's belt? Every business and every family in North Carolina is having to do so. And should we not look at our tax laws and close every gap and loophole before we look for additional sources of revenue?

"Protecting the environment is a statewide problem. It is the responsibility of the state to lead by example; to encourage good stewardship; to reward innovation and to discourage wastefulness and the pillaging of our resources. Honing the regulatory agencies is more effective than padding them. Reduction, recycling and resourcefulness should be our bywords.

"Are we spending our educational dollars wisely? Should the consolidation of school units be mandated within a reasonable time frame? How quickly can we make early intervention and appropriate preschool education available – thereby significantly enhancing our already heroic efforts to improve public education? How can we maximize federal, state and local monies in these Spartan times?

"Inadequate prison space is one factor responsible for the breakdown of the criminal court system. We have begun and expanded the use of

alternatives to incarceration. Are there not still other alternatives to the construction of traditional expensive prisons? Have we sufficiently developed treatment facilities and training camps where rehabilitation and redirection are of greater concern than escape proof prisons? And can't we make better use of idle prison population as a workforce for the improvement of our beautiful state forests and parks?

"Finally, can't we foster the use of trained volunteers in our schools and parks and juvenile justice programs, and in health care and other such places? Volunteers are waiting in every community across the state. Such services as volunteer fire departments and rescue squads are examples. This could save the state enormous expense, and more importantly, give our people the opportunity to respond to the great challenge of President Kennedy to 'ask what you can do for your country'.

"I have faith in the courage and collective wisdom of this House. Together we will find the right answers.

"I pledge my earnest endeavor to be worthy of the honor of the office of Speaker Pro Tem."

PRINCIPAL CLERK

The Speaker announces that nominations are in order for Principal Clerk of the House of Representatives.

Representative Larry Jordan places the name of Mrs. Grace A. Collins of Wake County in nomination for Principal Clerk.

Representative Rhyne seconds the nomination of Mrs. Collins for Principal Clerk and offers support from the Minority Party Caucus.

On motion of Representative Dennis A. Wicker, the nominations are closed and Mrs. Collins is elected by acclamation.

The Speaker of the House, Daniel Blue, (authorized under G.S. 120-5) administers the following oath of office to the Principal Clerk:

"I, GRACE A. COLLINS, do solemnly swear that I will support the Constitution and laws of the United States; and,

"I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States; to the best of my knowledge and ability; and,

"I do solemnly swear that I will faithfully discharge my duties as Principal Clerk of the 1991 House of Representatives of the General Assembly of the State of North Carolina to the best of my skill and ability; so help me, God."

SERGEANT-AT-ARMS

The Speaker announces that nominations are in order for Sergeant-at-Arms of the House of Representatives.

Representative Roy A. Cooper, III, places the name of Larry P. Eagles of Edgecombe County in nomination for Sergeant-at-Arms.

Representative Rhyme seconds the nomination of Mr. Eagles for Sergeant-at-Arms and offers support from the Minority Party Caucus.

On motion of Representative Dennis A. Wicker, the nominations are closed and Mr. Eagles is elected by acclamation.

The Honorable Sidney Eagles, Judge of the North Carolina Court of Appeals, administers the following oath of office to the Sergeant-at-Arms:

"I, LARRY P. EAGLES, do solemnly swear that I will support the Constitution and laws of the United States; and,

"I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States; to the best of my knowledge and ability; and,

"I do solemnly swear that I will faithfully discharge my duties as Sergeant-at-Arms of the 1991 House of Representatives of the General Assembly of the State of North Carolina to the best of my skill and ability; so help me, God."

READING CLERK

The Speaker announces that nominations are in order for Reading Clerk of the House of Representatives.

Representatives Bob Hensley places the name of Sam J. Burrow, Jr. of Wake County, in nomination for Reading Clerk.

On motion of Representative Dennis A. Wicker, the nominations are closed and Mr. Burrow is elected by acclamation.

The Honorable William Z. Wood, Judge, North Carolina Superior Court, administers the following oath of office to the Reading Clerk:

"I, SAM J. BURROW, JR., do solemnly swear that I will support the Constitution and laws of the United States; and,

"I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States; to the best of my knowledge and ability; and,

"I do solemnly swear that I will faithfully discharge my duties as Reading Clerk of the 1991 House of Representatives of the General Assembly of the State of North Carolina to the best of my skill and ability; so help me, God."

The Speaker declares that the House of Representatives of 1991 is organized and orders that a Special Message be sent to the Senate so advising that Honorable Body that the House is now ready to proceed with public business.

The Speaker announces the appointment of the Reverend James W. McGinnis, Chaplain, 1991 North Carolina House of Representatives.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

January 30, 1991

Mr. Speaker:

It is ordered that a message be sent the House of Representatives informing that Honorable Body that the Senate is organized and is now ready to proceed with the public business; and for your further information advises that the following officers have been elected:

Senator Henson P. Barnes
Senator Kenneth C. Royall, Jr.
Sylvia Morris Fink
LeRoy Clark, Jr.
Gerda B. Pleasants

President Pro Tempore
Deputy President Pro Tempore
Principal Clerk
Reading Clerk
Sergeant-at-Arms

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

S.J.R. 1, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES G. MARTIN, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES.

On motion of Representative Wicker, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

COURTESIES

The courtesies of the floor are extended to Representative Colton's family: Walter and Mary Colton and their children Henry and Walter, Sarah Colton Villemint and her children Elizabeth, Catherine and Florence and Marie Colton Pelzer.

INTRODUCTION OF BILLS AND RESOLUTIONS

On motion of Representative Hurley, the rules are suspended and the following is introduced and read the first time:

By Representative Hurley, Speaker Blue, Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, Colton, Cooper, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Sam Hunt, H. Hunter, R. Hunter, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard:

H.J.R. 1, A JOINT RESOLUTION EXPRESSING SUPPORT FOR THE MILITARY TROOPS IN THE PERSIAN GULF AND HONORING THOSE WHO HAVE DIED WHILE SERVING IN THE PERSIAN GULF.

On motion of Representative Hurley, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

GOVERNOR'S ESCORT COMMITTEE APPOINTED

The Speaker appoints the following Escort Committee to serve with a like Senate Committee to escort the Governor when he addresses the Joint Session on January 31: Representatives Brawley, Russell, Barnhill, and DeVane and the Senate is so notified by Special Message.

MAJORITY AND MINORITY CAUCUS LEADERS ANNOUNCED

Representative Milton F. Fitch Jr. is recognized and reports that the Democratic Caucus has been held and that Representative Wicker has been elected the House Majority Leader and Representative Fitch has been elected the House Majority Whip.

Representative Joe H. Hege, Jr. is recognized and reports that the Republican Caucus has been held and that Representative Johnathan L. Rhyne, Jr. has been elected the House Minority Leader; Representative Theresa H. Esposito has been elected House Minority Whip and Representative James Arthur Pope has been elected Joint Minority Caucus Leader.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.J.R. 1, A JOINT RESOLUTION INFORMING HIS EXCELLEN-CY, GOVERNOR JAMES G. MARTIN, THAT THE GENERAL AS-SEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUB-LIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES. (RESOLUTION 1)

On motion of Representative Cooper, seconded by Representative Wicker, the House adjourns at 3:30 p.m. to reconvene January 31 at 11:30 a.m.

SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, January 31, 1991

The House meets at 11:30 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chap-lain.

Representative Sam Hunt reports the Journal of January 30, has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Grady for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to com-mittee:

By Representatives Rhyne, Dickson, Dockham, Loflin, Privette, and Warner:

H.B. 2, A BILL TO BE ENTITLED AN ACT TO IMPROVE EDU-CATIONAL OPPORTUNITIES FOR NORTH CAROLINIANS, is re-ferred to the Committee on Education.

By Representatives Rhyne, Dickson, Dockham, Howard, Loflin, Pope, Privette, Russell, Wilson, and Wood:

H.B. 3, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A GUBERNATORIAL VETO REQUIRING A TWO-THIRDS VOTE TO OVERRIDE AND INCLUDING A LINE-ITEM VETO FOR AP-PROPRIATIONS MEASURES, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Bowen and Nye:

H.B. 4, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SAMPSON COUNTY IS AUTHORIZED TO CONSTRUCT GAS LINES, is referred to the Committee on Local and Regional Govern-ment I.

DELEGATION ANNOUNCED

The Speaker announces the following delegation to attend the funeral of Senator James E. Ezzell, Jr.: Representatives Cooper, Mavretic, Fitch, Lewis, Hardaway, Chapin, J. W. Crawford, Church, Green, Ethridge, and Stewart.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

S.J.R. 4, A JOINT RESOLUTION EXPRESSING SUPPORT FOR THE MILITARY TROOPS SERVING IN THE PERSIAN GULF, is read the first time and referred to the Committee on Rules, Appointments, and Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

January 31, 1991

Mr. Speaker:

Pursuant to **S.J.R. 1, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES G. MARTIN, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES**, the President Pro Tempore appoints as a committee on the part of the Senate to escort the Governor to the Joint Session in the Hall of the House of Representatives on Thursday, January 31, 12:00 Noon,

Senator Kenneth C. Royall, Jr. — Lead Escort

Senator Ted Kaplan

Senator Herbert L. Hyde

Senator Robert G. Shaw

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

January 31, 1991

Mr. Speaker:

It is ordered that a message be sent the House of Representatives that pursuant to **S.J.R. 1, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES G. MARTIN, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES**, the Senate stands ready to repair to the Hall of

the House of Representatives, there to sit in Joint Session with your Honorable Body.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Sergeant-at-Arms is recognized and he announces the approach of the members of the Council of State who are seated in a body for the Joint Session.

The Sergeant-at-Arms is recognized and he announces the approach of the members of the Governor's Cabinet who are seated in a body for the Joint Session.

The Sergeant-at-Arms is recognized and he announces the approach of the Chief Justice and the Associate Justices of the Supreme Court and the Judges of the Court of Appeals who are seated in a body for the Joint Session.

The Speaker orders a message sent to the Senate informing that Honorable Body that the House of Representatives stands ready to receive them in Joint Session at the hour appointed.

On motion of Representative Michaux, the courtesies of the floor are extended to Mrs. Daniel T. Blue, Jr., Wife of the Speaker of the House.

The Speaker extends the courtesies of the floor to Mrs. Dottie Martin, First Lady of the State, and to Mrs. Marie Gardner, wife of the Lt. Governor, James C. Gardner and to the Governor's Cabinet members, Council of State members, Chief Justice and the Associate Justices of the Supreme Court and the Judges of the Court of Appeals.

JOINT SESSION

Pursuant to resolution heretofore adopted and exchange of messages, the Sergeant-at-Arms of the House of Representatives announces the arrival of the Senate at the door of the House. The Speaker directs the admittance and seating of that Honorable Body. The President of the Senate, the Honorable James C. Gardner, is seated to the right of the Speaker and is presented the gavel.

The Joint Session is called to order by the President. The President requests all members and guests to rise for a moment of silent thoughts and prayer in memory of the late Senator James E. Ezzell, Jr.

The Sergeant-at-Arms of the House announces the approach of the Governor. His Excellency enters escorted by Senators Kenneth C. Royall, Jr., Herbert L. Hyde, Robert G. Shaw, Ted Kaplan and Representatives Brawley, Hardaway, DeVane, and Russell.

The President recognizes Senator Royal who presents his Excellency James G. Martin, Governor of North Carolina to the Joint Assembly. (The full text of his address can be found in the Appendix.)

Upon completion of his address, the Governor, joined by the Escort Committee, leaves the Hall of the House.

On motion of Senator Barnes, the Joint Session is dissolved and the Senate returns to its Chamber.

The House resumes its business.

On motion of Representative Sam Hunt, seconded by Representative Cooper, the House adjourns in memory of Senator Ezzell at 1:15 p.m. to reconvene Monday, February 4 at 7:30 p.m.

THIRD DAY

HOUSE OF REPRESENTATIVES
Monday, February 4, 1991

The House meets at 7:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Holt reports the Journal of January 31, has been examined and found correct. Upon her motion, the Journal is approved as written.

Leaves of absence are granted Representatives Abernethy and Mavretic for today.

OATH OF OFFICE

Representative Miller, having appeared with proper certificate of election, takes the following oath of office administered by the Speaker of the House, Representative Blue.

OATH FOR MEMBERS OF THE HOUSE OF REPRESENTATIVES

1991 SESSION

"I, George W. Miller, do solemnly swear or affirm that I will support the Constitution and laws of the United States; and,

"I do solemnly and sincerely swear or affirm that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and,

"I do solemnly swear or affirm that I will faithfully discharge my duties as a Member of the 1991 House of Representatives of the General Assembly of the State of North Carolina, to the best of my skill and ability, so help me, God."

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Beall, Barnes, Barnhill, Black, Bowman, Buchanan, Colton, N. J. Crawford, Cunningham, Easterling, Ethridge, Fitch, Fletcher, Fussell, Gist, Greenwood, Hackney, Hardaway, Hensley, Hightower, Holt, R. Hunter, Jeralds, Kennedy, Lineberry, Luebke, Michaux, Miller, Nesbitt, Ramsey, Rhodes, Stamey, and Warner:

H.B. 5, A BILL TO BE ENTITLED AN ACT TO RAISE THE MINIMUM WAGE AND TO AUTHORIZE A TRAINING WAGE, is referred to the Committee on Rules, Appointments, and Calendar.

By Representatives Mavretic and Bowman:

H.B. 6, A BILL TO BE ENTITLED AN ACT TO SPECIFY APPOINTMENTS TO THE OPEN GOVERNMENT THROUGH PUBLIC TELECOMMUNICATIONS STUDY COMMISSION, is referred to the Committee on Rules, Appointments, and Calendar.

By Representatives Lilley, Abernethy, Brawley, Hasty, and Warner:

H.J.R. 7, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE TO STUDY THE REVENUE LAWS OF NORTH CAROLINA, is referred to the Committee on Rules, Appointments, and Calendar.

By Representatives Lilley, Abernethy, Bowman, Brawley, Buchanan, Decker, and Hasty:

H.B. 8, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE HIGHWAY TRUST FUND AND TO MAKE TECHNICAL CHANGES TO THE LAWS AFFECTED BY THE HIGHWAY TRUST FUND, is referred to the Committee on Rules, Appointments, and Calendar.

By Representatives Lilley, Abernethy, Brawley, and Hasty:

H.B. 9, A BILL TO BE ENTITLED AN ACT TO REINSTATE SALES TAX ON MOPEDS, TOW DOLLIES, AND CERTAIN VEHICLE BODIES AND TO ESTABLISH A UNIFORM LONG-TERM LEASING RATE, is referred to the Committee on Rules, Appointments, and Calendar.

By Representatives Lilley, Abernethy, Brawley, and Hasty:

H.B. 10, A BILL TO BE ENTITLED AN ACT TO ALLOW LESSORS AND RENTERS OF MOTOR VEHICLES TO ELECT TO PAY HIGHWAY USE TAX ON MOTOR VEHICLES OWNED ON OCTOBER 1, 1989, AND TO CLARIFY THAT THESE MOTOR VEHICLES ARE OTHERWISE SUBJECT TO THE GROSS RECEIPTS TAX, is referred to the Committee on Rules, Appointments, and Calendar.

By Representatives Lilley, Abernethy, Bowman, Brawley, Hasty, and Warner:

H.B. 11, A BILL TO BE ENTITLED AN ACT TO APPLY THE TIRE TAX, USED TO PAY FOR THE DISPOSAL OF SCRAP TIRES, TO NEW TIRES FOR ROAD CONSTRUCTION

EQUIPMENT AND OTHER NEW VEHICLE TIRES is referred to the Committee on Rules, Appointments, and Calendar.

By Representatives Lilley, Abernethy, Bowman, Brawley, and Hasty:

H.B. 12, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED TO DETERMINE CERTAIN TAXABLE INCOME AND TAX EXEMPTIONS, is referred to the Committee on Rules, Appointments, and Calendar.

By Representatives Lilley, Abernethy, Brawley, and Hasty:

H.B. 13, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE FRANCHISE TAX INITIAL RETURN AND TO INCREASE THE MINIMUM FRANCHISE TAX, is referred to the Committee on Rules, Appointments, and Calendar.

By Representatives Pope, Brown, Decker, Dickson, Esposito, Flaherty, Gardner, Grady, Gray, Holmes, Howard, Justus, Kimsey, Morgan, Rhodes, and Wilson:

H.B. 14, A BILL TO BE ENTITLED AN ACT TO END THE EXEMPTION OF THE GENERAL ASSEMBLY FROM THE OPEN MEETINGS LAW, is referred to the Committee on Rules, Appointments, and Calendar.

By Representatives Redwine and Dial:

H.B. 15, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A BINDING REFERENDUM ON THE ESTABLISHMENT OF A NORTH CAROLINA STATE LOTTERY, is referred to the Committee on Rules, Appointments, and Calendar.

By Representative Mercer:

H.B. 16, A BILL TO BE ENTITLED AN ACT TO APPOINT MEMBERS OF THE WHITEVILLE CITY BOARD OF EDUCATION.

On motion of Representative Mercer, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

INTRODUCTION OF BILLS AND RESOLUTIONS (continued)

The following are introduced, read the first time and referred to committee:

By Representatives H. Hunter, Brown, Chapin, DeVane, Hardaway, Justus, and Wood:

H.B. 17, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO QUALIFIED COUNTIES TO SURVEY, CLEAN UP,

AND ELIMINATE ILLEGAL DISCHARGES OF SEWAGE ONTO LAND OR INTO SURFACE WATERS IN VIOLATION OF ARTICLE 11 OF CHAPTER 130A OF THE NORTH CAROLINA GENERAL STATUTES, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives H. Hunter, Brown, Chapin, DeVane, Hackney, Hardaway, Justus, Warner, and Wood:

H.B. 18, A BILL TO BE ENTITLED AN ACT TO CLARIFY LANGUAGE TO AUTHORIZE LOCAL BOARDS OF HEALTH TO ADOPT RULES MORE STRINGENT THAN THE COMMISSION FOR HEALTH SERVICES OR THE ENVIRONMENTAL MANAGEMENT COMMISSION WHEN DEEMED NECESSARY TO PROTECT THE PUBLIC HEALTH, is referred to the Committee on Rules, Appointments, and Calendar.

HOUSE RULES AMENDMENT ADOPTED

On motion of Representative Cooper, Amendment No. 4 of the Temporary House Rules adopted on January 30, 1991 is amended to read:

"RULE 27. List of Standing Committees and Permanent Subcommittees.-- The standing committees and permanent subcommittees thereof are:

<i>Committee</i>	<i>Subcommittees</i>
Appropriations	-General Government -Human Resources -Justice and Public Safety -Environment, Health and Natural Resources -Transportation -Education
Agriculture	-Aquaculture and Marine Fisheries -Forestry, Horticulture and Wildlife -Crops and Animal Husbandry
Commerce	-Financial Institutions -Insurance -Housing
Courts, Justice, Constitutional Amendments and Referenda	(None)
Economic Expansion	-Travel, Tourism and Economic Development -Labor Relations and Employment -Small Business

Education	-Pre-School, Elementary and Secondary Education -Higher Education
Environment	-Solid Waste -Water, Air and Soil -Hazardous Waste
Ethics	(None)
Finance	-Local and Regional Government Revenue -State Revenue -Ways and Means
Human Resources	-Aging -Children, Youth, and Families -Health and Mental Health
Judiciary I	(None)
Judiciary II	(None)
Judiciary III	(None)
Local and Regional Government I	(None)
Local and Regional Government II	(None)
Pensions and Retirement	(None)
Public Employees	(None)
Public Utilities	(None)
Legislative and Local Redistricting	(None)
Congressional Redistricting	(None)
Rules, Appointments, and Calendar	(None)
Science and Technology	(None)
State Government	-Boards and Commissions -State Parks, Facilities and Property -Military, Veterans and Indian Affairs

Transportation

-Highways-Public
Transportation
-Airports, Railways, and
Waterways".

On motion of Representative Holt, seconded by Representative Miller, the House adjourns at 7:57 p.m. to reconvene February 5 at 1:30 p.m.

FOURTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, February 5, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt reports the Journal of February 4, has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Dockham and Withrow for today.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

January 22, 1991

The Honorable Daniel T. Blue, Jr.
Speaker of the House
State Legislative Building
Raleigh, North Carolina 27611

Dear Mr. Speaker:

Pursuant to North Carolina General Statue 53-92, I hereby appoint William T. Graham as Commissioner of Banks to serve a term beginning April 1, 1991, and expiring March 31, 1995. This appointment is subject to confirmation by the General Assembly by joint resolution, and I hereby submit his name for confirmation.

I have enclosed a copy of Mr. Graham's resume. Please feel free to contact him should you need any additional information, or to inform him of the date of any committee meeting that he would need to attend concerning his confirmation.

Sincerely,
S/James G. Martin
Governor

On motion of the Chair, the letter is referred to the Committee on Commerce.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Warner, Brown, Decker, Howard, and Redwine:

H.B. 19, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE EXEMPTION FOR CERTAIN DRIVERS LICENSES FOR PUBLIC SAFETY WORKERS, is referred to the Committee on Rules, Appointments, and Calendar.

By Representatives Kerr, Redwine, and Rhodes:

H.B. 20, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A MORE EFFICIENT AND EQUITABLE PROCEDURE FOR ASSESSING AND COLLECTING LOCAL AD VALOREM PROPERTY TAXES ON CERTAIN MOTOR VEHICLES, is referred to the Committee on Rules, Appointments, and Calendar.

COMMITTEE ASSIGNMENTS

The following standing committee assignments are made by the Speaker:

AGRICULTURE: Representative James, Chairman.

Agriculture Subcommittee – Aquaculture and Marine Fisheries: Representative Chapin, Chairman; Representatives Brawley, Foster, Grady, Hightower, Howard, Mavretic, Smith, and Thompson.

Agriculture Subcommittee – Crops and Animal Husbandry: Representative Albertson, Chairman; Representatives Brubaker, Buchanan, Dial, Fussell, Green, Jordan, Lilley, Loflin, McLawhorn, Mercer, Rogers, Russell, Stewart, and Wilson.

Agriculture Subcommittee – Forestry, Horticulture, and Wildlife: Representative Beall, Chairman; Representatives Anderson, Bowen, Brown, Church, Creech, Culp, DeVane, Judy Hunt, Ligon, Lutz, and Wainwright.

COMMERCE: Representative Hardaway, Chairman.

Commerce Subcommittee – Financial Institutions: Representative Fletcher, Chairman; Representatives Black, Brubaker, Hege, Holmes, R. Hunter, McAllister, Ramsey, and Smith.

Commerce Subcommittee – Housing: Representative Cunningham, Chairman; Representatives Bowie, Gray, Green, Howard, H. Hunter, James, Jones, and Wicker.

Commerce Subcommittee – Insurance: Representative Beard, Chairman; Representatives Anderson, Barbee, Brawley, Dockham,

Gamble, Sam Hunt, Isenhower, Jeralds, McLaughlin, Oldham, and Wilmoth.

ECONOMIC EXPANSION: Representative Hasty, Chairman.

Economic Expansion Subcommittee – Labor Relations and Employment: Representative Kennedy, Chairman; Representatives Abernethy, Beall, Bowman, Diamont, Easterling, Holt, Kimsey, and Robinson.

Economic Expansion Subcommittee – Small Business: Representative Lineberry, Chairman; Representatives Albertson, Balmer, Barnhill, N. J. Crawford, Dickson, Grady, Jarrell, Jordan, and Tallent.

Economic Expansion Subcommittee – Travel, Tourism and Economic Development: Representative Foster, Chairman; Representatives Chapin, Huffman, Judy Hunt, Jeffus, Morgan, Nye, Russell, and Wainwright.

ETHICS: Representative Colton, Chairman; Representatives Cooper, Diamont, Fletcher, Foster, Gray, Hege, Hurley, Isenhower, Jones, Justus, Kennedy, Lineberry, Mercer, Rhyne, Tallent, and Wicker.

APPROPRIATIONS: Representatives Nesbitt and Diamont, Co-Chairmen.

Appropriations Subcommittee – General Government: Representatives Bowman and N. J. Crawford, Co-Chairmen; Representatives Beard, Decker, Foster, Gist, Gray, Holmes, and Lutz.

Appropriations Subcommittee – Human Resources: Representatives Easterling and Nye, Co-Chairmen; Representatives Barnhill, Esposito, Gardner, Greenwood, Jeffus, Jeralds, Justus, and Kennedy.

Appropriations Subcommittee – Justice and Public Safety: Representatives Anderson and Redwine, Co-Chairmen; Representatives Barnes, Brubaker, J. W. Crawford, Dickson, Flaherty, Grady, Green, Woodard, and Jones.

Appropriations Subcommittee – Environment, Health, and Natural Resources: Representatives Ethridge and H. Hunter, Co-Chairmen; Representatives Culp, DeVane, Dockham, Gottovi, James, Kahl, and Russell.

Appropriations Subcommittee – Education: Representatives Fussell and Payne, Co-Chairmen; Representatives Balmer, Black, Chapin, Dial, Hege, Hensley, Huffman, Michaux, Oldham, Pope, Rhyne, Rogers, and Warner.

Appropriations Subcommittee – Transportation: Representatives McLaughlin and Holt, Co-Chairmen; Representatives Albertson, Barbee, Bowie, Church, Creech, Hasty, Jack Hunt, Kimsey, and McAllister.

COURTS, JUSTICE, CONSTITUTIONAL AMENDMENTS AND REFERENDA: Representative Michaux, Chairman; Representatives Barnes, Creech, Dawkins, Decker, Dickson, Ethridge, Fitch, Flaherty, Hackney, Hardaway, Holt, Jack Hunt, Justus, Kennedy, Kerr, Lewis, Miller, Nesbitt, Pope, and Ramsey.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 16, AN ACT TO APPOINT MEMBERS OF THE WHITEVILLE CITY BOARD OF EDUCATION. (CHAPTER 1)

H.J.R. 1, A JOINT RESOLUTION EXPRESSING SUPPORT FOR THE MILITARY TROOPS IN THE PERSIAN GULF AND HONORING THOSE WHO HAVE DIED WHILE SERVING IN THE PERSIAN GULF. (RESOLUTION 2)

On motion of Representative Jack Hunt, seconded by Representative Miller, the House adjourns at 2:03 p.m. to reconvene February 6 at 1:30 p.m.

FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, February 6, 1991

The House meets at 1:30 P.M. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Stamey reports the Journal of February 5, has been examined and found correct. Upon her motion, the Journal is approved as written.

Leaves of absence are granted Representatives Dockham, McLawhorn, Withrow, and Wood for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Rhodes:

H.B. 21, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A BINDING REFERENDUM ON THE ESTABLISHMENT OF A

NORTH CAROLINA STATE LOTTERY, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Brubaker, Easterling, Hasty, Ligon, Lineberry, Privette, and Woodard:

H.B. 22, A BILL TO BE ENTITLED AN ACT TO REGULATE REVERSE MORTGAGES, is referred to the Committee on Commerce.

By Representatives Lilley, Abernethy, Brawley, and Hasty:

H.B. 23, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FUEL TAX STATUTES TO ENABLE NORTH CAROLINA TO ENTER THE INTERNATIONAL FUEL TAX AGREEMENT, is referred to the Committee on Finance.

By Representatives Lilley, Abernethy, Bowman, Brawley, and Hasty:

H.B. 24, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE THE LAWS CONCERNING REPORTS BY THE DEPARTMENT OF REVENUE, is referred to the Committee on Finance.

By Representatives Jones, Bowman, Colton, N. J. Crawford, DeVane, Diamont, Easterling, Hasty, Lilley, Lineberry, and Warner:

H.B. 25, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ESTABLISH A COMMUNITY SERVICE PROGRAM; AND TO REQUIRE THAT COMMUNITY SERVICE MUST BE PERFORMED IN EXCHANGE FOR REMITTED FINES, is referred to the Committee on Environment.

On motion of Representative Stamey, seconded by Representative Miller, the House adjourns at 1:43 p.m. to reconvene February 7 at 1:00 p.m.

SIXTH DAY

HOUSE OF REPRESENTATIVES
Thursday, February 7, 1991

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker Pro Tempore, Representative Colton.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Stamey reports the Journal of February 6, has been examined and found correct. Upon her motion, the Journal is approved as written.

Leaves of absence are granted Representatives H. Hunter and Wood for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Holt, Bowman, Colton, Easterling, Greenwood, Hensley, Jones, Jordan, Kerr, McLawhorn, Mercer, Smith, Stewart, and Woodard:

H.B. 26, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL NEEDS AT COMMUNITY-BASED REHABILITATION FACILITIES, is referred to the Committee on Rules, Appointments, and Calendar.

By Representatives Warner, Barbee, Bowman, Brown, J. W. Crawford, Fletcher, Howard, Kimsey, Ligon, Mercer, Wilson, and Woodard:

H.B. 27, A BILL TO BE ENTITLED AN ACT TO PERMIT PAID FIREMEN TO RECEIVE PENSION BENEFITS FROM THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND WHETHER OR NOT THEY STAY ON A LOCAL PAYROLL, is referred to the Committee on Rules, Appointments, and Calendar.

By Representatives Warner, Barbee, Bowman, Brown, J. W. Crawford, DeVane, Fletcher, Gardner, Howard, Kimsey, Ligon, Mercer, Wilson, and Woodard:

H.B. 28, A BILL TO BE ENTITLED AN ACT TO PERMIT VOLUNTARY CONTRIBUTIONS TO THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, is referred to the Committee on Rules, Appointments, and Calendar.

By Representatives Warner, Barbee, Bowman, Brown, J. W. Crawford, DeVane, Fletcher, Gardner, Howard, Kerr, Kimsey, Ligon, Mercer, Wilson, and Woodard:

H.B. 29, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY BENEFITS FROM THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, is referred to the Committee on Rules, Appointments, and Calendar.

By Representatives Warner, Barbee, Bowman, Brown, J. W. Crawford, DeVane, Fletcher, Gardner, Howard, Kimsey, Ligon, Mercer, Wilson, and Woodard:

H.B. 30, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATUTES GOVERNING FIRE RELIEF FUNDS, is referred to the Committee on Rules, Appointments, and Calendar.

By Representatives Warner, Barbee, Bowman, Brown, J. W. Crawford, DeVane, Fletcher, Gardner, Howard, Kimsey, Lewis, Ligon, Mercer, Wilson, and Woodard:

H.B. 31, A BILL TO BE ENTITLED AN ACT TO PERMIT INJURED FIREMEN TO RECEIVE DISABILITY PAYMENTS UNDER

THE NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AFTER ONE YEAR'S SERVICE, is referred to the Committee on Rules, Appointments, and Calendar.

By Representatives Barnes, Bowman, Luebke, and Mercer:

H.B. 32, A BILL TO BE ENTITLED AN ACT TO REENACT AN ACT WHICH EXPIRED JANUARY 1, 1991, WHICH SIMPLIFIED THE REQUIREMENTS FOR ELECTION DAY VOTER TRANSFERS, is referred to the Committee on Rules, Appointments, and Calendar.

By Representatives Lineberry, Easterling, Hasty, Ligon, Mercer, Privette, Warner, and Woodard:

H.B. 33, A BILL TO BE ENTITLED AN ACT TO REGULATE THE BUSINESS OF PROVIDING CREDIT REPAIR SERVICES, is referred to the Committee on Rules, Appointments, and Calendar.

HOUSE RULES AMENDMENT ADOPTED

On motion of Representative Cooper, Amendment No. 4 of the Temporary House Rules adopted on January 30, and amended on February 4 is further amended as follows:

RULE 27 of the Temporary Rules of the House of Representatives, as was amended on January 30 and February 4, 1991, is further amended to delete the following subcommittee of the standing Committee on Education:

“-Higher Education”; and

to insert in its place the following additional subcommittees of the standing Committee on Education:

“-Community Colleges

“-University Education and Affairs”.

SPEAKER BLUE PRESIDING.

COMMITTEE ASSIGNMENTS

The following standing committee assignments are made by the Speaker:

EDUCATION: Representative Barnes, Chairman.

Education Subcommittee – Community Colleges: Representative Black, Chairman; Representatives Wilmoth and Rhodes, Vice Chairmen; Representatives Albertson, Dickson, Dockham, Grady, Green, Holt, and Jarrell.

Education Subcommittee – Pre-School, Elementary and Secondary Education: Representative Rogers, Chairman; Representatives Fussell, Payne, and Wood, Vice Chairmen; Representatives

Bowman, Decker, Gamble, Judy Hunt, Jeffus, Lewis, McAllister, Michaux, Nye, Pope, Wainwright, and Wilson.

Education Subcommittee – University Education and Affairs: Representative Warner, Chairman; Representatives Barnhill and Gardner, Vice Chairmen; Representatives Gist, Gottovi, Gray, Hege, Luebke, and Miller.

ENVIRONMENT: Representative DeVane, Chairman.

Environment Subcommittee – Hazardous Waste: Representative Hightower, Chairman; Representatives Dawkins and Rhodes, Vice Chairmen; Representatives Church, Creech, Hackney, Kahl, and Privette.

Environment Subcommittee – Solid Waste: Representative Thompson, Chairman; Representatives Mavretic and Grimmer, Vice Chairmen; Representatives Bowen, Diamont, Kimsey, Loflin, Luebke, Miller, Redwine, and Rhyne.

Environment Subcommittee – Water, Air and Soil: Representative J. W. Crawford, Chairman; Representatives Ethridge and Culp, Vice Chairmen; Representatives Brown, Colton, Cooper, Decker, Dial, Flaherty, Fussell, Gottovi, Kerr, McLawhorn, Payne, Warner, and Withrow.

FINANCE: Representatives Hackney and Miller, Co-Chairmen.

Finance Subcommittee – Local and Regional Government Revenue: Representative Gamble, Chairman; Representatives Bowen and Rhodes, Vice Chairmen; Representatives Beall, Hurley, Isenhower, Jarrell, Lewis, McLawhorn, Morgan, Stewart, Thompson, and Wilson.

Finance Subcommittee – State Revenue: Representative Kerr, Chairman; Representatives Stamey and Brawley, Vice Chairmen; Representatives Abernethy, Brown, Buchanan, Fletcher, Grimmer, Hardaway, R. Hunter, Ligon, Luebke, Mavretic, Mercer, Smith, Wilmoth, and Withrow.

Finance Subcommittee – Ways and Means: Representative Lilley, Chairman; Representatives Sam Hunt, Wicker, and Wood, Vice Chairmen; Representatives Colton, Cooper, Cunningham, Dawkins, Fitch, Hightower, Howard, Judy Hunt, Jordan, Lineberry, Loflin, Privette, Ramsey, Robinson, Tallent, and Wainwright.

HUMAN RESOURCES: Representative Jerals, Chairman.

Human Resources Subcommittee – Aging: Representative Green, Chairman; Representatives Foster and Privette, Vice Chairmen; Representatives Bowman, N. J. Crawford, Culp, Cunningham, Ethridge, Gamble, Kimsey, Lewis, and Oldham.

Human Resources Subcommittee – Children, Youth and Families: Representative Jones, Chairman; Representatives Easterling and Bowie, Vice Chairmen; Representatives Colton, Hensley, McAllister, McLawhorn, Russell, Wilson, and Withrow.

Human Resources Subcommittee – Health and Mental Health: Representative Barnhill, Chairman; Representatives Greenwood and Isenhower, Vice Chairmen; Representatives Beard, Brubaker, J. W. Crawford, Esposito, Gardner, Gottovi, H. Hunter, Ligon, Luebke, Lutz, Wainwright, and Woodard.

JUDICIARY I: Representative Cooper, Chairman; Representatives Barnes and Kennedy, Vice Chairmen; Representatives Bowie, Easterling, Esposito, Fitch, Hardaway, Holt, Hurley, Justus, Rhyne, Robinson, Wicker, and Woodard.

JUDICIARY II: Representative Dawkins, Chairman; Representatives Black and Gardner, Vice Chairmen; Representatives Balmer, Beard, Church, Dockham, Hensley, Jeffus, McLaughlin, Miller, Morgan, Nesbitt, Pope, and Redwine.

JUDICIARY III: Representative R. Hunter, Chairman; Representatives Sam Hunt, Kerr, and Huffman, Vice Chairmen; Representatives N. J. Crawford, Cunningham, Flaherty, Grimmer, Hackney, Jeralds, Jordan, Michaux, Payne, and Privette.

LOCAL AND REGIONAL GOVERNMENT I: Representative Gist, Chairman; Representatives Jarrell, Thompson, and Isenhower, Vice Chairmen; Representatives Beard, Black, Decker, Gottovi, Hege, Jones, Jordan, McAllister, and Privette.

LOCAL AND REGIONAL GOVERNMENT II: Representative Lutz, Chairman; Representatives McLaughlin, Stamey, and Holmes, Vice Chairmen; Representatives Abernethy, Barbee, Buchanan, Easterling, Esposito, Hasty, Hurley, James, Kahl, Lilley, and Lineberry.

PENSIONS AND RETIREMENT: Representative Greenwood, Chairman; Representatives Nye, Ramsey, and Wood, Vice Chairmen; Representatives Barbee, Brawley, DeVane, Fletcher, Grady, Hurley, Ligon, Lutz, Mercer, Rogers, and Warner.

SCIENCE AND TECHNOLOGY: Representative Woodard, Chairman; Representatives Warner and Balmer, Vice Chairmen; Representatives Flaherty, Hensley, Luebke, Morgan, Nesbitt, Stewart, Tallent, and Withrow.

TRANSPORTATION: Representative Stamey, Chairman.

Transportation Subcommittee – Airports, Railways, and Waterways: Representative Jarrell, Chairman; Representatives Dawkins and Abernethy, Vice Chairmen; Representatives J. W. Crawford, Gamble, Howard, Kahl, Lilley, Loflin, and Mercer.

Transportation Subcommittee – Highways: Representative Church, Chairman; Representatives H. Hunter and Barbee, Vice Chairmen;

Representatives Bowen, Bowman, Buchanan, Creech, Gray, Greenwood, Sam Hunt, Lineberry, Rhodes, and Wilmoth.

Transportation Subcommittee - Public Transportation: Representative Hurley, Chairman; Representatives McLaughlin and Bowie, Vice Chairmen; Representatives Colton, Dickson, Gist, Grimmer, Luebke, and Withrow.

ADDENDA TO COMMITTEE APPOINTMENTS OF FEBRUARY 5, 1991

AGRICULTURE:

Agriculture Subcommittee - Aquaculture and Marine Fisheries: Representatives Thompson and Grady, Vice Chairmen.

Agriculture Subcommittee - Crops and Animal Husbandry: Representatives Mercer and Loflin, Vice Chairmen.

Agriculture Subcommittee - Forestry, Horticulture and Wildlife: Representatives Lutz and Brown, Vice Chairmen.

COMMERCE:

Commerce Subcommittee - Financial Institutions: Representatives Black and Brubaker, Vice Chairmen.

Commerce Subcommittee - Housing: Representatives Jones and Howard, Vice Chairmen.

Commerce Subcommittee - Insurance: Representatives Wilmoth and Brawley, Vice Chairmen.

COURTS, JUSTICE, CONSTITUTIONAL AMENDMENTS AND REFERENDA: Representatives Barnes, Kennedy, and Flaherty, Vice Chairmen.

ECONOMIC EXPANSION:

Economic Expansion Subcommittee - Labor Relations and Employment: Representatives Bowman and Abernethy, Vice Chairmen.

Economic Expansion Subcommittee - Small Business: Representatives Albertson and Dickson, Vice Chairmen.

Economic Expansion Subcommittee - Travel, Tourism and Economic Development: Representatives Judy Hunt and Huffman, Vice Chairmen.

ETHICS: Representatives Lineberry, Wicker, and Tallent, Vice Chairmen.

On motion of Representative Stamey, seconded by Representative Ethridge, the House adjourns at 1:42 p.m. to reconvene Monday, February 11 at 8:00 p.m.

SEVENTH DAY

HOUSE OF REPRESENTATIVES

Monday, February 11, 1991

The House meets at 8:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt reports the Journal of February 7 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Beard, Cunningham, Fletcher, Grimmer, and Warner for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Hasty, Easterling, Ligon, Lineberry, Privette, Warner, and Woodard:

H.B. 34, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATIONS OF THE DEBT COLLECTION PRACTICES ACTS, is referred to the Committee on Judiciary I.

By Representatives Hasty, Easterling, Ligon, Lineberry, Pope, Privette, Warner, and Woodard:

H.B. 35, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE COURT TO AWARD REASONABLE ATTORNEYS' FEES TO PREVAILING PLAINTIFFS IN CLAIMS INVOLVING HOME CONSTRUCTION, is referred to the Committee on Judiciary I.

By Representatives Hasty, Easterling, Ligon, Lineberry, Pope, Privette, Warner, and Woodard:

H.B. 36, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE GENERAL CONTRACTORS LICENSING BOARD AND THE CODE OFFICIALS QUALIFICATION BOARD TO IMPLEMENT RECOMMENDATIONS OF THE STATE AUDITOR AND TO REPORT IMPLEMENTATION STATUS TO THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS, is referred to the Committee on State Government.

By Representatives Hasty, Bowman, Easterling, Ligon, Lineberry, Privette, Warner, and Woodard:

H.B. 37, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A HOMEOWNERS RECOVERY FUND UNDER THE SUPERVISION OF THE GENERAL CONTRACTORS LICENSING BOARD, is referred to the Committee on State Government.

By Representatives Hasty, Bowman, Easterling, Ligon, Lineberry, Pope, Privette, Warner, and Woodard:

H.B. 38, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA RESIDENTIAL CONTRACTORS REVIEW COMMITTEE, is referred to the Committee on State Government.

By Representatives Holt, Bowman, Sam Hunt, and Wilson:

H.B. 39, A BILL TO BE ENTITLED AN ACT TO CLARIFY AN ACT TO ESTABLISH THE BOUNDARY BETWEEN THE ALAMANCE COUNTY AND BURLINGTON CITY SCHOOL ADMINISTRATIVE UNITS, is referred to the Committee on Local and Regional Government II.

By Representatives Holt and Bowman:

H.B. 40, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET FROM AN ACT SIMPLIFYING ELECTION-DAY TRANSFERS, is referred to the Committee on Judiciary I.

By Representatives Easterling, Hasty, Ligon, Lineberry, Privette, Warner, and Woodard:

H.B. 41, A BILL TO BE ENTITLED AN ACT TO DECREASE THE PROJECT COST MINIMUM FOR APPLICABILITY OF CONTRACTORS LICENSURE REQUIREMENTS AND TO CLARIFY EXEMPTION PROVISIONS, is referred to the Committee on State Government.

By Representatives Holmes and Mercer:

H.B. 42, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE STATE CONSTRUCTION OFFICE FOR ADDITIONAL STAFF TO EXPAND THE FACILITY CONDITION ASSESSMENT PROGRAM, is referred to the Committee on Appropriations.

By Representatives Holmes and Mercer:

H.B. 43, A BILL TO BE ENTITLED AN ACT TO REQUIRE A REPAIR AND RENOVATION BUDGET ITEM, is referred to the Committee on Appropriations.

By Representative Brawley:

H.B. 44, A BILL TO BE ENTITLED AN ACT TO LIMIT THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO SERVICE IN TWO CONSECUTIVE GENERAL ASSEMBLIES, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representative Brawley:

H.B. 45, A BILL TO BE ENTITLED AN ACT TO LIMIT THE GOVERNOR AND LIEUTENANT GOVERNOR TO ONE

CONSECUTIVE FOUR-YEAR TERM EACH, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Brawley and Isenhower:

H.B. 46, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT USERS OF MOTOR VEHICLES WEIGHING TEN THOUSAND POUNDS OR LESS ARE NOT REQUIRED TO OBTAIN A SPECIAL FUELS TAX LICENSE, is referred to the Committee on Finance.

By Representative Brawley:

H.B. 47, A BILL TO BE ENTITLED AN ACT SUPPORTING THE EFFORTS OF TEACHERS TO CONTROL THEIR CLASSES AND REQUIRING PARENTS TO ASSIST IN DISCIPLINING THEIR CHILDREN AT SCHOOL, is referred to the Committee on Education.

By Representatives Fletcher, Bowman, Buchanan, Flaherty, and Robinson:

H.B. 48, A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN RADIO EMERGENCY ASSOCIATED CITIZENS TEAMS (REACT) VEHICLES TO ACTIVATE AMBER LIGHTS WHILE OPERATING ON THE HIGHWAYS, is referred to the Committee on Judiciary III.

By Representatives Mavretic, Jones, and McLawhorn:

H.B. 49, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A NURSE MIDWIFERY EDUCATION PROGRAM AT EAST CAROLINA UNIVERSITY, is referred to the Committee on Appropriations.

By Representatives Rhodes, Brawley, Kennedy, Kerr, Loflin, Pope, and Wood:

H.B. 50, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE PROPERTY TAX STATUTES, is referred to the Committee on Finance.

By Representatives Rhodes, Brawley, Kennedy, Kerr, Loflin, Pope, and Wood:

H.B. 51, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE AND REVISE STATUTES CONCERNING THE PROPERTY TAX COMMISSION, TO REPEAL UNNECESSARY DUTIES OF THE DEPARTMENT OF REVENUE, TO REPEAL THE REQUIREMENT THAT ALL OF THE EMPLOYEES IN THE DEPARTMENT OF REVENUE TAKE AN OATH, AND TO CONFORM THE OATHS REQUIRED BY THE OFFICEHOLDERS IN THE DEPARTMENT OF REVENUE TO THE OATH REQUIRED BY THE CONSTITUTION, is referred to the Committee on Finance.

By Representatives Brubaker, Dickson, Hasty, Holmes, and Rogers:

H.B. 52, A BILL TO BE ENTITLED AN ACT TO REGULATE FOREIGN CREDIT UNIONS, is referred to the Committee on Commerce.

By Representatives Brubaker, Dickson, Hasty, Holmes, and Rogers:

H.B. 53, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ASSUMPTION FEES IN CONNECTION WITH CERTAIN REAL ESTATE LOANS, is referred to the Committee on Commerce.

By Representatives Brubaker, Dickson, Hasty, Holmes, and Rogers:

H.B. 54, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE STATUTES RELATING TO CREDIT UNIONS, is referred to the Committee on Commerce.

By Representatives Brubaker, Dickson, Hasty, Holmes, and Rogers:

H.B. 55, A BILL TO BE ENTITLED AN ACT TO AMEND REGULATIONS PERTAINING TO MORTGAGE BANKERS AND BROKERS, is referred to the Committee on Commerce.

COMMITTEE ASSIGNMENTS

The following standing committee assignments are made by the Speaker:

PUBLIC EMPLOYEES: Representative Ramsey, Chairman; Representatives Fussell, Redwine, and Wilson, Vice Chairmen; Representatives Barnhill, Chapin, Culp, Dial, Esposito, Fitch, Fletcher, Gardner, Judy Hunt, Jeffus, Kimsey, Lewis, McLawhorn, Nye, Oldham, and Stewart.

PUBLIC UTILITIES: Representative Judy Hunt, Chairman; Representatives Kerr and Tallent, Vice Chairmen; Representatives Anderson, Balmer, Beall, DeVane, Dockham, Hightower, Holmes, James, Lineberry, Mavretic, Ramsey, Redwine, Robinson, Smith, and Thompson.

RULES, APPOINTMENTS, AND CALENDAR: Representative Jack Hunt, Chairman; Representatives Colton, Hackney, Michaux, Robinson, and Stamey, Vice Chairmen; Representatives Barbee, Barnes, Brawley, Dawkins, Hardaway, Hensley, Huffman, R. Hunter, McAllister, Payne, Ramsey, Rhyne, Tallent, Wicker, Woodard, and Wood.

STATE GOVERNMENT: Representative Mavretic, Chairman.

State Government Subcommittee – State Boards and Commissions: Representative Stewart, Chairman; Representatives Gist and Gray, Vice Chairmen; Representatives Foster, Hightower, Morgan, Nye, Pope, Rhodes, Russell, and Thompson.

State Government Subcommittee – Military, Veterans and Indian Affairs: Representative Mercer, Chairman; Representatives Beall, Cunningham, and Buchanan, Vice Chairmen; Representatives Albertson, Brown, Grady, Greenwood, Hasty, Lilley, and Wood.

State Government Subcommittee – State Parks, Facilities and Property: Representative Wilmoth, Chairman; Representatives N. J. Crawford and Holmes, Vice Chairmen; Representatives Abernethy, Anderson, Chapin, J. W. Crawford, Howard, Huffman, Jeralds, Kahl, Smith, and Stamey.

On motion of Representative Jack Hunt, seconded by Representative Abernethy, the House adjourns at 8:20 p.m. to reconvene February 12 at 1:30 p.m.

EIGHTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, February 12, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments, and Calendar reports the Journal of February 11 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (94-0).

Leaves of absence are granted Representatives Beard and Grimmer for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Lineberry, Albertson, Bowen, Bowman, Culp, Fletcher, Hardaway, Hasty, Jack Hunt, R. Hunter, Jones, Lilley, McLawhorn, Mavretic, Redwine, and Stewart:

H.B. 56, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE INDUSTRIAL ECONOMIC DEVELOPMENT FUND, is referred to the Committee on Appropriations.

By Representatives Abernethy, Balmer, Ethridge, Jones, Lilley, and Mercer:

H.B. 57, A BILL TO BE ENTITLED AN ACT TO CREATE A RAILROAD ADVISORY COMMISSION, is referred to the Committee on State Government.

By Representatives Gray, Bowman, Decker, Justus, Mercer, and Wood:

H.B. 58, A BILL TO BE ENTITLED AN ACT TO DESIGNATE DECEMBER SEVENTH AS PEARL HARBOR REMEMBRANCE DAY, is referred to the Committee on State Government.

By Representatives Holt and Mercer:

H.B. 59, A BILL TO BE ENTITLED AN ACT TO MAKE CLOGGING THE OFFICIAL STATE DANCE, is referred to the Committee on Rules, Appointments, and Calendar.

By Representatives J. W. Crawford and Church:

H.B. 60, A BILL TO BE ENTITLED AN ACT TO REPEAL THE STATUTES CREATING THE NORTH CAROLINA HAZARDOUS WASTE MANAGEMENT COMMISSION, is referred to the Committee on Environment.

By Representatives Lilley, Abernethy, Brawley, and Hasty:

H.B. 61, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, is referred to the Committee on Finance.

By Representatives Buchanan and Mercer:

H.B. 62, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR FOUR-YEAR TERMS FOR MEMBERS OF THE GENERAL ASSEMBLY, AND TO MAKE CONFORMING CHANGES TO OTHER STATUTES, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

On motion of Representative Jack Hunt, seconded by Representative Miller, the House adjourns at 1:43 p.m. to reconvene February 13 at 1:30 p.m.

NINTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, February 13, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments, and Calendar reports the Journal of February 12 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Beard, Esposito, Fitch, Gray, Grimmer, Jones, Robinson, and Wood for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Fletcher, Buchanan, Flaherty, Huffman, Isenhower, and Robinson:

H.B. 63, A BILL TO BE ENTITLED AN ACT TO ALLOW BURKE COUNTY TO NAME PRIVATE ROADS, is referred to the Committee on Local and Regional Government I.

By Representatives Huffman, Albertson, Barnhill, Culp, Fussell, Hurley, and Wood:

H.B. 64, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE AND SIMPLIFY THE SPECIAL LICENSE PLATE LAWS, is referred to the Committee on Transportation.

By Representatives Mavretic, Bowman, Buchanan, Colton, N. J. Crawford, Decker, Flaherty, Greenwood, R. Hunter, Kimsey, Lineberry, and Robinson:

H.J.R. 65, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE JOHN C. CAMPBELL FOLK SCHOOL AND THE PENLAND SCHOOL OF CRAFTS AND DECLARING BOTH SCHOOLS AS NORTH CAROLINA ARTS AND CRAFTS RESOURCES, is referred to the Committee on Rules, Appointments, and Calendar.

By Representatives Bowie, Decker, Gist, Jarrell, Jeffus, Lineberry, and Wood:

H.B. 66, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is referred to the Committee on Finance.

By Representatives Lineberry and Bowman:

H.B. 67, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM IN NOVEMBER 1992 TO AMEND THE CONSTITUTION TO PROVIDE FOR A GUBERNATORIAL VETO REQUIRING A THREE-FIFTHS VOTE TO OVERRIDE, AND IN A SEPARATE BALLOT QUESTION IN NOVEMBER 1992 TO REPEAL THE CONSTITUTIONAL AMENDMENT PERMITTING THE GOVERNOR AND LIEUTENANT GOVERNOR TO SERVE TWO SUCCESSIVE TERMS, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Rhodes, Decker, Esposito, Gray, Kennedy, and Oldham:

H.B. 68, A BILL TO BE ENTITLED AN ACT TO MAKE THE UNIFORM MANAGEMENT OF INSTITUTIONAL FUNDS ACT APPLICABLE TO COMMUNITY FOUNDATION ENDOWMENT FUNDS ADMINISTERED BY BANKS OR TRUST COMPANIES, is referred to the Committee on Judiciary II.

On motion of Representative Jack Hunt, seconded by Representative Cunningham, the House adjourns at 1:43 p.m. to reconvene February 14 at 1:30 p.m.

TENTH DAY

HOUSE OF REPRESENTATIVES

Thursday, February 14, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by Representative Wicker, House Majority Leader.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Hackney for the Committee on Rules, Appointments and Calendar reports the Journal of February 13 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brubaker, Colton, Decker, Dickson, Esposito, Fitch, Grimmer, Jack Hunt, Judy Hunt, Kimsey, Rhodes, Robinson, and Withrow for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Bowman, Gottovi, Mercer, Russell, and Wood:

H.B. 69, A BILL TO BE ENTITLED AN ACT TO PROVIDE SEMIPERMANENT REGISTRATION PLATES FOR MEMBERS OF VOLUNTEER FIRE DEPARTMENTS AND RESCUE SQUADS, is referred to the Committee on Judiciary III.

By Representatives Kerr, Albertson, Beall, Bowie, Bowman, Brown, Buchanan, Chapin, J. W. Crawford, Culp, Cunningham, Ethridge, Fletcher, Gottovi, Greenwood, Hardaway, H. Hunter, Hurley, James, Jeffus, Ligon, Lilley, Loflin, Luebke, McLawhorn, Mavretic, Mercer, Privette, Redwine, Smith, Warner, and Wood:

H.B. 70, A BILL TO BE ENTITLED AN ACT TO PROVIDE SUPPLEMENTAL PAY TO STATE EMPLOYEES AND PUBLIC SCHOOL EMPLOYEES WHO HAVE BEEN ORDERED TO ACTIVE DUTY AS A RESULT OF THE PERSIAN GULF WAR, is referred to the Committee on Public Employees.

By Representatives N. J. Crawford, Colton, Flaherty, Foster, Gottovi, James, Jeffus, Lewis, Mercer, and Warner:

H.B. 71, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE UNIVERSITY OF NORTH CAROLINA TO COORDINATE AND EXPAND EFFORTS IN RESEARCH, TEACHING, AND EXTENSION IN GERONTOLOGY, is referred to the Committee on Appropriations.

By Representatives N. J. Crawford, Bowman, Colton, J. W. Crawford, Ethridge, Flaherty, Fletcher, Foster, Gottovi, James, Jeffus, Luebke, Mercer, and Warner:

H.B. 72, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE FUNDING FOR IN-HOME AIDE

SERVICES AND CAREGIVER SUPPORT SERVICES, is referred to the Committee on Appropriations.

By Representatives N. J. Crawford, Bowman, Colton, Ethridge, Flaherty, Fletcher, Foster, Gottovi, James, Jeffus, Luebke, Mercer, Russell, and Warner:

H.B. 73, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE LONG-TERM CARE OMBUDSMAN PROGRAM, is referred to the Committee on Appropriations.

By Representatives N. J. Crawford, Bowman, Colton, Ethridge, Flaherty, Fletcher, Foster, Gottovi, James, Jeffus, Luebke, Mercer, and Warner:

H.B. 74, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA ELDERLY AND HANDICAPPED TRANSPORTATION ASSISTANCE PROGRAM, is referred to the Committee on Appropriations.

By Representatives N. J. Crawford, Bowman, Colton, Ethridge, Flaherty, Fletcher, Foster, Gottovi, Hurley, James, Jeffus, Luebke, Mercer, and Warner:

H.B. 75, A BILL TO BE ENTITLED AN ACT REQUIRING THAT THE NORTH CAROLINA MEDICAL CARE COMMISSION AND THE SOCIAL SERVICES COMMISSION DRAFT RULES CONTAINING STATE STANDARDS FOR SPECIAL CARE UNITS IN NURSING HOMES AND REST HOMES FOR ALZHEIMER'S AND RELATED DEMENTIA PATIENTS AND THAT THESE COMMISSIONS MAKE A REPORT TO THE STUDY COMMISSION ON AGING, is referred to the Committee on Human Resources.

By Representatives Jarrell, Bowie, Decker, Gist, Jeffus, Lineberry, and Wood:

H.B. 76, A BILL TO BE ENTITLED AN ACT TO AMEND THE CITY OF GREENSBORO CHARTER REGARDING INITIATIVE ELECTIONS, REWARDS, AND SETTLEMENT OF CLAIMS, is referred to the Committee on Local and Regional Government I.

CALENDAR

Action is taken on the following:

On motion of Representative Pope, amendment to Temporary Rules offered on January 30th and placed on the Calendar for the tenth Legislative Day is referred to the Committee on Rules, Appointments, and Calendar.

SPEAKER BLUE PRESIDING.

On motion of Representative Hackney, seconded by Representative Cooper, the House adjourns at 1:44 p.m. to reconvene Monday, February 18 at 8:00 p.m.

ELEVENTH DAY

HOUSE OF REPRESENTATIVES

Monday, February 18, 1991

The House meets at 8:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments, and Calendar reports the Journal of February 14 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (98-0).

Leaves of absence are granted Representatives Abernethy, Barbee, and Kimsey for today.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

Representative Lineberry is recognized and presents a Proclamation recognizing the founding of the University of North Carolina at Greensboro.

On motion of Representative Lineberry, the Proclamation is spread upon the Journal as follows:

A PROCLAMATION RECOGNIZING THE FOUNDING OF THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO

Whereas, the people of North Carolina are deeply indebted to the North Carolina General Assembly of 1891 and other leaders of just over a century ago whose vision created on February 18, 1891, the State Normal and Industrial School, now The University of North Carolina at Greensboro; and

Whereas, special honor is accorded the memory of Charles Duncan McIver for his unrelenting work as an advocate to establish the State Normal and Industrial School; and

Whereas, in the efforts to establish the State Normal and Industrial School, the people of North Carolina also are indebted to such persons as: Edwin A. Alderman, who served with Charles Duncan McIver in conducting County Teacher Institutes across the state in 1889-91; Major Sidney M. Finger, Superintendent of Public Instruction; Governor Daniel G. Fowle; Dr. J. L. M. Curry, Executive Secretary of the Peabody Fund; educators J. Y. Joyner, M. C. S. Noble, E. P. Moses, and others; and

Whereas, efforts to establish the State Normal and Industrial School to provide higher education for women and to help meet the state's need for teachers drew strong support from such organizations as the

North Carolina Teachers' Assembly, the North Carolina Farmers' Alliance, and the King's Daughters; and

Whereas, in creating the State Normal and Industrial School on February 18, 1891, the General Assembly appropriated \$10,000 for the first year and elected a Board of Directors; and

Whereas, in June of 1891, the Board of Directors accepted the City of Greensboro's generous bid of \$30,000 plus a campus site and made plans to locate the new institution in Greensboro; and

Whereas, the State Normal and Industrial School, led by President Charles Duncan McIver, opened its doors to 198 students on October 5, 1892; and

Whereas, from that beginning, the School grew into The University of North Carolina at Greensboro, an institution of academic excellence with an enrollment today of nearly 12,000 students; which offers undergraduate study in 100 areas, master's degree in 68 fields, and 14 doctoral degrees; whose faculty members make major contributions to the state and nation through their teaching, research, and public service; which has awarded more than 60,000 degrees; which has over 50,000 living alumni; and

Whereas, the University of North Carolina at Greensboro, its alumni around the world, and its friends and supporters near and far, are looking forward to celebrating a century of splendid, dedicated service by the University to the advancement of knowledge, the welfare and best interests of the citizens of this state and of people elsewhere; and toward the economic progress of North Carolina;

Now, therefore, be it proclaimed by the House of Representatives of North Carolina:

Section 1. The North Carolina House of Representatives recognizes and honors the founders of The University of North Carolina at Greensboro for their vision, commends the University for its contributions to North Carolina and its people, extends congratulations on the occasion of the institution's upcoming Centennial celebration, and eagerly anticipates a second century of service by the University on behalf of the people of North Carolina and the nation.

Sec. 2. The Speaker of the House shall send a certified copy of this Proclamation to William E. Moran, the ninth chief executive officer of The University of North Carolina at Greensboro and the sixth to hold the title as its Chancellor.

S/Daniel T. Blue, Speaker
House of Representatives

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives J. W. Crawford and Green:

H.B. 77, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE MEMBERSHIP OF THE

STATE BOARD OF EDUCATION AND TO MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION THE CHAIRMAN OF THE STATE BOARD OF EDUCATION, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representative Mercer:

H.B. 78, A BILL TO BE ENTITLED AN ACT TO CLARIFY FUNERAL BENEFITS PROVIDED BY ALL BURIAL ASSOCIATIONS OPERATING IN NORTH CAROLINA, is referred to the Committee on Judiciary I.

By Representatives Lilley, Abernethy and Hasty:

H.B. 79, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE ADMINISTRATION OF THE EXCISE TAX ON SOFT DRINKS, is referred to the Committee on Finance.

By Representatives Lineberry, Bowie, Gottovi, Luebke, Pope, and Stamey:

H.B. 80, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES THAT ARE ORGANIZERS OF A PUBLIC TRANSPORTATION AUTHORITY TO LEVY A RENTAL VEHICLE SURTAX, is referred to the Committee on Transportation.

By Representatives Lineberry and Bowie:

H.B. 81, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES THAT ARE ORGANIZERS OF A PUBLIC TRANSPORTATION AUTHORITY TO LEVY A PARKING PRIVILEGE TAX, is referred to the Committee on Transportation.

By Representative Bowman:

H.B. 82, A BILL TO BE ENTITLED AN ACT TO AMEND THE BEDDING SANITATION LAW, is referred to the Committee on Human Resources.

By Representatives Nesbitt and Diamont:

H.B. 83, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives James and Thompson:

H.B. 84, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON LEGISLATION AUTHORIZING CURRITUCK COUNTY TO LEVY AN EXCISE TAX ON INSTRUMENTS CONVEYING REAL PROPERTY, is referred to the Committee on Local and Regional Government II.

By Representatives James and Thompson:

H.B. 85, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CURRITUCK COUNTY TO ESTABLISH NOISE DISTRICTS AND

TO REGULATE NOISE WITHIN THOSE DISTRICTS, is referred to the Committee on Local and Regional Government II.

By Representatives James and Thompson:

H.B. 86, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTY OF CURRITUCK TO COLLECT A SOLID WASTE FEE THAT IS BILLED AND PAID IN THE SAME MANNER AS AD VALOREM TAXES AND THAT MAY RESULT IN THE IMPOSITION OF A LIEN, is referred to the Committee on Local and Regional Government II.

By Representatives Ethridge, Fletcher, and Stamey:

H.B. 87, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO SHIFT THE ELECTION OF THE GOVERNOR AND OTHER COUNCIL OF STATE MEMBERS TO NONPRESIDENTIAL EVEN-NUMBERED YEARS, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Hasty, DeVane, and Dial:

H.B. 88, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CITY OF LAURINBURG FROM CERTAIN ZONING NOTICE REQUIREMENTS, is referred to the Committee on Local and Regional Government II.

By Representatives Jones, Black, Bowman, Cooper, J. W. Crawford, Creech, Culp, Diamont, Fletcher, Foster, Gamble, Gist, Gottovi, Grady, Green, Greenwood, Hensley, Howard, Hurley, Jordan, Loflin, Luebke, Michaux, Payne, Pope, Privette, Russell, Stamey, Warner, Wicker, Withrow, Wood, and Woodard:

H.B. 89, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REGISTRATION AND REPORTING REQUIREMENTS FOR LOBBYISTS AND THEIR PRINCIPALS, TO PROHIBIT CAMPAIGN FUND-RAISING FROM LOBBYISTS FOR LEGISLATORS AND COUNCIL OF STATE MEMBERS WHILE THE GENERAL ASSEMBLY IS IN REGULAR SESSION, AND TO REQUIRE A TWO-YEAR WAIT AFTER THEY LEAVE OFFICE BEFORE LOBBYING MAY BE DONE BY FORMER MEMBERS AND PRESIDING OFFICERS OF THE GENERAL ASSEMBLY, FORMER COUNCIL OF STATE MEMBERS, AND FORMER CABINET SECRETARIES, is referred to the Committee on Ethics.

By Representatives Beard, Fletcher, Howard, H. Hunter, Jeralds, Luebke, Privette, Warner, and Woodard:

H.B. 90, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES TO CONTRACT WITH ORGANIZATIONS FOR SERVICES RELATED TO THE PREVENTION OF YOUTH SUICIDE, is referred to the Committee on Appropriations.

By Representatives Beard, Bowman, Fletcher, Gamble, Gottovi, H. Hunter, Jeralds, Luebke, Privette, and Warner:

H.B. 91, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ADMINISTRATION TO

HELP SUPPORT DOMESTIC VIOLENCE AND SEXUAL ASSAULT PREVENTION PROGRAMS AND CENTERS, is referred to the Committee on Appropriations.

By Representatives Beard, Fletcher, H. Hunter, Jeralds, Luebke, Mercer, Privette, and Warner:

H.B. 92, A BILL TO BE ENTITLED AN ACT TO REQUIRE SCHOOL PRINCIPALS TO LIMIT THE AMOUNT OF TIME A SCHOOL COUNSELOR IS ASSIGNED TO NONCOUNSELING DUTIES, is referred to the Committee on Education.

By Representatives Beard, Fletcher, H. Hunter, Jeralds, Privette, and Warner:

H.B. 93, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FAMILY PRESERVATION SERVICES, TO ESTABLISH THE COMMISSION ON FAMILY-CENTERED SERVICES, AND TO APPROPRIATE FUNDS FOR THE COMMISSION ON FAMILY-CENTERED SERVICES, is referred to the Committee on Human Resources.

On motion of Representative Beard, the rules are suspended and the following is introduced and read the first time:

By Representatives Beard, Hurley, Jarrell, McAllister, and Warner:

H.B. 95, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 1079 OF THE 1984 SESSION LAWS TO AUTHORIZE CUMBERLAND COUNTY TO SELL INDUSTRIAL SITES IN ITS INDUSTRIAL PARK WITHOUT COMPLIANCE WITH G.S. 158-7.1(d), is referred to the Committee on Judiciary II.

On motion of Representative Jack Hunt, seconded by Representative Cunningham, the House adjourns at 8:26 p.m. to reconvene February 19 at 3:00 p.m.

TWELFTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, February 19, 1991

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments, and Calendar reports the Journal of February 18 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Albertson, Dial, and Justus for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Hurley, Diamont, Morgan, Privette, and Warner:

H.B. 94, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE INSPECTIONS OF ABC LICENSED PREMISES BY LOCAL LAW ENFORCEMENT OFFICERS, is referred to the Committee on Judiciary I.

By Representatives Gamble, Gottovi, and Green:

H.B. 96, A BILL TO BE ENTITLED AN ACT TO MAKE AN ADVANCE DIRECTIVE FOR HEALTH CARE MATTERS AN OPTIONAL PART OF THE "RIGHT TO NATURAL DEATH" LAW, is referred to the Committee on Judiciary I.

By Representatives Gamble and Bowman:

H.B. 97, A BILL TO BE ENTITLED AN ACT TO AID RECYCLING EFFORTS BY REQUIRING DISPOSABLE GLASS CONTAINERS TO BE A UNIFORM COLOR, is referred to the Committee on Environment.

By Representatives Mercer, Anderson, Flaherty, Gottovi, Grady, Hardaway, Privette, Warner, and Wood:

H.B. 98, A BILL TO BE ENTITLED AN ACT TO PERMIT A MEMBER OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO RETIRE WITH UNREDUCED BENEFITS AFTER COMPLETING TWENTY-EIGHT YEARS WITH THE SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representatives Dickson, Bowman, and Warner:

H.B. 99, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A HEALTH DIRECTOR ORIENTATION PROGRAM WITHIN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, is referred to the Committee on Appropriation.

By Representatives Creech, Gray, Pope, and Wood:

H.B. 100, A BILL TO BE ENTITLED AN ACT TO REPEAL THE RESIGN-TO-RUN LAW, is referred to the Committee on Judiciary I.

On motion of Representative Jack Hunt, the rules are suspended and the following is introduced and read the first time.

By Representative Jack Hunt:

H.R. 101, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE REGULAR SESSIONS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES OF THE 1991 GENERAL ASSEMBLY, is referred to the Committee on Rules, Appointments and Calendar.

On motion of Representative Warner, the rules are suspended and the following is introduced and read the first time.

By Representatives Warner, Bowman, and Gottovi:

H.R. 107, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, is referred to the Committee on Education.

MESSAGES FROM THE SENATE

The following is received from the Senate:

S.B. 10, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AND CLARIFYING AMENDMENTS TO CHAPTER 126 OF THE GENERAL STATUTES REGARDING THE STATE PERSONNEL SYSTEM, is read the first time and referred to the Committee on Public Employees.

On motion of Representative Jack Hunt, seconded by Representative Gray, the House adjourns at 3:20 p.m. to reconvene February 20 at 3:00 p.m.

THIRTEENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, February 20, 1991

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments, and Calendar reports the Journal of February 19 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (92-0).

Leaves of absence are granted Representatives Jones and McAllister for today.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

February 18, 1991

The Honorable Daniel T. Blue, Jr.
Speaker of the House
State Legislative Building
Office 2317
Raleigh, NC 27611

Dear Speaker Blue:

I hereby resign my seat in the North Carolina House of Representatives from the 72nd District. I look forward to continued association

and cooperation with you in my new duties as Senator from the 10th District.

With kind regards, I am

Yours very truly,
S/Roy A. Cooper, III

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Michaux, Gist, Gottovi, Mavretic, Oldham, and Wicker:

H.B. 102, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE FOR THE APPOINTMENT OF APPELLATE JUDGES BY THE GOVERNOR, WITH THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY, AND TO AUTHORIZE THE GENERAL ASSEMBLY TO PROVIDE A PROCEDURE TO DETERMINE IF JUDGES SO APPOINTED SHOULD BE RETAINED IN OFFICE, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Michaux, Gist, Gottovi, Mavretic, Oldham, and Wicker:

H.B. 103, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR APPOINTMENT OF APPELLATE JUDGES BY THE GOVERNOR SUBJECT TO THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY, TO PROVIDE FOR THE RECONFIRMATION OF SITTING JUDGES BY THE GENERAL ASSEMBLY, AND TO PROVIDE FOR TRANSITIONAL AND OTHER PROVISIONS NECESSARY TO MOVE FROM AN ELECTIVE TO AN APPOINTIVE SYSTEM, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Michaux, Gist, Gottovi, H. Hunter, Luebke, and Mavretic:

H.B. 104, A BILL TO BE ENTITLED AN ACT TO ALLOW VOTER REGISTRATION ON ELECTION DAY, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Michaux, Bowman, Gottovi, H. Hunter, Luebke, Mavretic, and Warner:

H.B. 105, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR USE OF DRIVERS LICENSE APPLICATIONS AND APPLICATIONS FOR SPECIAL IDENTIFICATION CARDS AS APPLICATIONS FOR VOTER REGISTRATION, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Michaux, Gottovi, H. Hunter, Luebke, and Mavretic:

H.B. 106, A BILL TO BE ENTITLED AN ACT TO ALLOW VOTER REGISTRATION BY MAIL, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Green, Colton, Easterling, Gist, Gottovi, Gray, Hardaway, Holt, Luebke, Oldham, Stamey, and Warner:

H.B. 108, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO ESTABLISH AND IMPLEMENT A PROGRAM TO ASSIST LOW-INCOME INDIVIDUALS TO OBTAIN PRESCRIPTION DRUGS AT REDUCED COST, is referred to the Committee on Appropriations.

By Representatives Fitch, Barbee, Barnes, Bowman, Howard, Nye, Oldham, and Stamey:

H.B. 109, A BILL TO BE ENTITLED AN ACT TO REAUTHORIZE THE STATE PERSONNEL SYSTEM STUDY COMMISSION, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Fitch, Barbee, Barnes, Howard, Nye, Oldham, and Stamey:

H.B. 110, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AND CLARIFYING AMENDMENTS TO CHAPTER 126 OF THE GENERAL STATUTES REGARDING THE STATE PERSONNEL SYSTEM, is referred to the Committee on Public Employees.

By Representative R. Hunter:

H.B. 111, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE MUNICIPAL PARTICIPATION IN IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM, is referred to the Committee on Transportation.

By Representatives Gamble and Dickson:

H.B. 112, A BILL TO BE ENTITLED AN ACT RELATING TO THE MANNER OF FILLING VACANCIES IN THE OFFICE OF REGISTER OF DEEDS OF LINCOLN COUNTY, is referred to the Committee on Local and Regional Government II.

By Representatives Jones, McLawhorn, and Rogers:

H.B. 113, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF AYDEN TO DISPOSE OF CERTAIN PROPERTY BY PRIVATE NEGOTIATION AND SALE, is referred to the Committee on Local and Regional Government I.

By Representatives Holt, Barnhill, Gottovi, Hackney, Jeralds, Luebke, McAllister, and Warner:

H.B. 114, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE SCHOOL HEALTH COORDINATORS

TO ALL SCHOOL SYSTEMS THAT ARE NOT CURRENTLY BEING SERVED BY STATE-FUNDED SCHOOL HEALTH COORDINATORS, is referred to the Committee on Appropriations.

MESSAGE FROM THE SENATE

The following message is received from the Senate.

S.B. 31, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 66 OF THE GENERAL STATUTES REGULATING PREPAID ENTERTAINMENT CONTRACTS TO INCLUDE SALES OF CAMPGROUND MEMBERSHIPS, is read the first time and referred to the Committee on Judiciary I.

HOUSE RULES AMENDMENT ADOPTED

On motion of Representative Jack Hunt, Rule 31.1(a) of the Temporary House Rules is amended, by electronic vote (107-5), to read:

Rule 31.1(a) of the Temporary House Rules is amended:

“by deleting ‘Wednesday in February (February 20)’ and by substituting ‘Thursday in March (March 21)’; and

by deleting ‘Wednesday (February 27)’ and by substituting ‘Thursday (March 28)’.”

On motion of Representative Jack Hunt, seconded by Representative Miller, the House adjourns, by electronic vote (93-2), at 3:32 p.m. to reconvene February 21 at 3:00 p.m.

FOURTEENTH DAY

HOUSE OF REPRESENTATIVES

Thursday, February 21, 1991

The House meets at 3:00 P.M. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments, and Calendar reports the Journal of February 20 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (97-0).

Leaves of absence are granted Representatives Colton, Dockham, Jones, Luebke, and Wainwright for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representatives Hackney and Miller, Co-chairmen for the Committee on Finance:

H.B. 24, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE THE LAWS CONCERNING REPORTS BY THE DEPARTMENT OF REVENUE, with a favorable report.

H.B. 50, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE PROPERTY TAX STATUTES, with a favorable report, as amended.

By Representative Barnes for the Committee on Education:

H.R. 107, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, with recommendation that it be adopted, as amended.

SUBCOMMITTEE REFERRAL

Representatives Hackney and Miller, Co-chairmen for the Standing Committee on Finance refer **H.B. 23**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FUEL TAX STATUTES TO ENABLE NORTH CAROLINA TO ENTER THE INTERNATIONAL FUEL TAX AGREEMENT, to the Permanent Subcommittee on Ways and Means.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Grady, Abernethy, Chapin, Gottovi, Payne, Redwine, and Smith:

H.B. 115, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE NORTH CAROLINA STATE PORTS AUTHORITY MAY RECEIVE REFUNDS OF SALES AND USE TAXES PAID ON DIRECT PURCHASES OF TANGIBLE PERSONAL PROPERTY, is referred to the Committee on Finance.

By Representatives Grady, Abernethy, Chapin, Flaherty, and Redwine:

H.B. 116, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE STATE PORTS AUTHORITY FROM THE PROVISIONS OF CHAPTER 143 OF THE GENERAL STATUTES IN THE SELECTION OF ARCHITECTS, ENGINEERS, AND OTHER PROFESSIONAL CONSULTANTS WHERE THE FEE FOR SUCH SERVICES IS LESS THAN THIRTY THOUSAND DOLLARS, is referred to the Committee on State Government.

By Representatives Grady, Chapin, and Kimsey:

H.B. 117, A BILL TO BE ENTITLED AN ACT TO INCREASE FINES IN G.S. 113-135 FOR VIOLATION OF RULES ADOPTED BY THE MARINE FISHERIES COMMISSION OR THE WILDLIFE RESOURCES COMMISSION, AS APPROPRIATE, is referred to the Committee on Judiciary II.

By Representatives Grady, Chapin, and Kimsey:

H.B. 118, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO SUBCHAPTER IV OF CHAPTER 113 OF THE NORTH CAROLINA GENERAL STATUTES

CONCERNING MARINE FISHERIES, is referred to the Committee on Agriculture.

By Representative Balmer:

H.B. 119, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF PINEVILLE, is referred to the Committee on Local Government I.

By Representatives Robinson and Gamble:

H.B. 120, A BILL TO BE ENTITLED AN ACT TO REESTABLISH THE MEDICAL MALPRACTICE CLAIMS ARBITRATION STUDY COMMISSION, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Judy Hunt, Dickson, and Mercer:

H.J.R. 121, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THOMAS MEREDITH, ON THE OCCASION OF THE CENTENNIAL OF THE GRANTING OF THE CHARTER TO BAPTIST FEMALE UNIVERSITY (MEREDITH COLLEGE) BY THE NORTH CAROLINA GENERAL ASSEMBLY, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Fitch, Gardner, Green, H. Hunter, Thompson, Wilson, and Wood:

H.B. 122, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE STATE AGENCIES AND PUBLIC SCHOOLS TO DEVELOP ON-OR NEAR-SITE DAY CARE FACILITIES FOR THEIR EMPLOYEES, is referred to the Committee on Human Resources.

By Representatives Barnes, Bowman, and Rogers:

H.B. 123, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PUBLIC SCHOOL REFORM ACT OF 1991, is referred to the Committee on Education.

By Representatives Payne, Gottovi, and Hightower:

H.B. 124, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES PREPARE A WATER RESOURCES DEVELOPMENT PROJECTS PLAN AND TO PROVIDE THAT THE DIRECTOR OF THE BUDGET REVIEW THE PLAN AND ADOPT A WATER RESOURCES DEVELOPMENT PROGRAM, is referred to the Committee on Environment.

By Representatives Payne, Bowman, Brown, Esposito, Gardner, Gottovi, Gray, Hightower, Howard, Ligon, and Wilson:

H.B. 125, A BILL TO BE ENTITLED AN ACT TO REQUIRE REGISTRATION OF ALL WATER TRANSFERS AND TO REQUIRE A PERMIT FOR THE TRANSFER OF ONE MILLION GALLONS OR MORE OF WATER PER DAY FROM ONE RIVER BASIN TO ANOTHER, is referred to the Committee on Environment.

By Representatives Payne and Gottovi:

H.B. 126, A BILL TO BE ENTITLED AN ACT TO EXTEND TO AIRPORT AUTHORITIES THE AUTHORITY TO PURCHASE PROPERTY SUBJECT TO A PURCHASE MONEY SECURITY INTEREST, is referred to the Committee on Judiciary II.

By Representatives Payne, Gottovi, and Hightower:

H.J.R. 127, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY SURFACE WATER, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Payne, Gottovi, and Hightower:

H.B. 128, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE CURRENT OPERATIONS APPROPRIATIONS BILL INCLUDE THE FUNDS NEEDED FOR EACH FISCAL YEAR COVERED BY THAT BILL TO FUND THE WATER RESOURCES DEVELOPMENT PROGRAM, is referred to the Committee on Appropriations.

By Representatives Morgan and Wood:

H.B. 129, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE CALCULATION OF REBATES ON PREPAYMENT OF INSTALLMENT LOANS SECURED BY REAL PROPERTY OR MOBILE HOMES, is referred to the Committee on Commerce.

By Representative Dawkins:

H.B. 130, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATIVE RULE-MAKING PROCESS, is referred to the Committee on Judiciary II.

By Representatives Mavretic, Bowman, and Wood:

H.B. 131, A BILL TO BE ENTITLED AN ACT REQUIRING THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO REPORT ON ITS PROGRESS IN ADOPTING STANDARDS TO CREATE AND ENHANCE AN ORGANIZED PROGRAM OF PUBLIC SERVICE AND TECHNICAL ASSISTANCE TO THE PUBLIC SCHOOLS, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Anderson:

H.B. 132, A BILL TO BE ENTITLED AN ACT TO REQUIRE NOTICE BY CERTIFIED LETTER OF MEETING AT WHICH DRAINAGE ASSESSMENTS ARE DETERMINED, is referred to the Committee on Judiciary III.

By Representatives Grimmer, Bowman, DeVane, Hackney, Ligon, and Michaux:

H.B. 133, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO USE, CONSISTENT

WITH APPLICABLE ENGINEERING STANDARDS AND ECONOMIC FEASIBILITY, CERTAIN RECYCLED GOODS FOR CERTAIN SPECIFIED PURPOSES, is referred to the Committee on Environment.

By Representatives Grimmer, Bowman, DeVane, Hackney, Ligon, and Michaux:

H.B. 134, A BILL TO BE ENTITLED AN ACT AUTHORIZING A COUNTY TO ENACT AN ORDINANCE REQUIRING PRIVATE RECYCLERS TO SUBMIT A REPORT TO THE COUNTY ON THE RECYCLABLE MATERIALS SUBJECT TO THE GOAL SET FORTH IN G.S. 103A-309.04 THAT ARE BEING RECOVERED BY THE RECYCLER WITHIN THE COUNTY, is referred to the Committee on Environment.

By Representatives Grimmer, Bowman, DeVane, Hackney, Ligon, and Michaux:

H.B. 135, A BILL TO BE ENTITLED AN ACT TO REQUIRE A CERTIFIED TRANSPORTER OF USED OIL TO MARK ALL ITS VEHICLES OR CONTAINERS OF USED OIL ON THE VEHICLES WHICH TRANSPORT USED OIL, is referred to the Committee on Environment.

By Representatives Grimmer, DeVane, Hackney, Ligon, and Michaux:

H.B. 136, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISPOSAL OF CERTAIN CLASSES OF SOLID WASTE BY INCINERATION, is referred to the Committee on Environment.

By Representatives Grimmer, Bowman, DeVane, Hackney, Ligon, and Michaux:

H.B. 137, A BILL TO BE ENTITLED AN ACT TO PROHIBIT CERTAIN ACTS REGARDING ANTIFREEZE, is referred to the Committee on Environment.

By Representative Gamble:

H.B. 138, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IN FILLING A VACANCY IN THE OFFICE OF SHERIFF OF LINCOLN COUNTY, THE COUNTY BOARD OF COMMISSIONERS MUST APPOINT THE NOMINEE OF THE PARTY EXECUTIVE COMMITTEE OF THE VACATING SHERIFF, is referred to the Committee on Local and Regional Government II.

By Representatives N. J. Crawford, Colton, J. W. Crawford, DeVane, Foster, Greenwood, Nesbitt, and Smith:

H.B. 139, A BILL TO BE ENTITLED AN ACT TO INCREASE THE RATE OF PAY FOR SEASONAL AND TEMPORARY EMPLOYEES AT THE STATE PARKS AND RECREATION AREAS, is referred to the Committee on Appropriations.

By Representatives N. J. Crawford, Bowman, Colton, J. W. Crawford, DeVane, Foster, Greenwood, Nesbitt, and Smith:

H.B. 140, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE FOR MINIMUM LIFEGUARD COVERAGE AT EXISTING SWIMMING BEACHES AND POOLS IN THE STATE PARKS SYSTEM, is referred to the Committee on Appropriations.

By Representatives N. J. Crawford, Bowman, Colton, J. W. Crawford, DeVane, Foster, Greenwood, Miller, Nesbitt, and Smith:

H.B. 141, A BILL TO BE ENTITLED AN ACT TO CREATE A STUDY COMMISSION ON STATE PARKS AND RECREATION AREAS, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives N. J. Crawford, Colton, J. W. Crawford, DeVane, Foster, Greenwood, Miller, Nesbitt, and Smith:

H.B. 142, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PARK IMPROVEMENT PLAN (PIP) FOR CAPITAL IMPROVEMENT PROJECTS AT STATE PARKS AND RECREATION AREAS AND TO APPROPRIATE FUNDS FOR THE INITIAL PHASE OF THE PLAN, is referred to the Committee on Appropriations.

By Representatives N. J. Crawford, Colton, J. W. Crawford, DeVane, Foster, Greenwood, Miller, Nesbitt, and Smith:

H.B. 143, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PURCHASE CRITICAL LANDS AND INHOLDINGS IN EXISTING STATE PARKS, is referred to the Committee on Appropriations.

By Representatives N. J. Crawford, Colton, J. W. Crawford, DeVane, Foster, Greenwood, Nesbitt, and Smith:

H.B. 144, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADDITIONAL CLERICAL SUPPORT AT THE STATE PARKS AND RECREATION AREAS, is referred to the Committee on Appropriations.

By Representatives N. J. Crawford, Balmer, Barnes, Beall, Black, Bowie, Buchanan, Colton, Cooper, J. W. Crawford, Dawkins, Easterling, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gottovi, Greenwood, Hackney, Hasty, Hensley, Hightower, Hurley, James, Jones, Justus, Lilley, Lineberry, Luebke, Mercer, Nesbitt, Payne, Ramsey, Rhyne, Rogers, Russell, Smith, and Stamey:

H.B. 145, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ALZHEIMER'S ASSOCIATION, is referred to the Committee on Appropriations.

By Representatives Hackney, DeVane, Grimmer, Ligon, and Michaux:

H.B. 146, A BILL TO BE ENTITLED AN ACT TO ESTABLISH FEES FOR PROCESSING APPLICATIONS FOR PERMITS GOVERNING THE ESTABLISHMENT AND OPERATION OF SOLID

WASTE MANAGEMENT FACILITIES AND RENEWALS OF SUCH PERMITS, is referred to the Committee on Finance.

By Representatives Hackney, DeVane, Grimmer, and Michaux:

H.B. 147, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO CONDITION THE ISSUANCE OF A PERMIT FOR AN INCINERATOR AND A MATERIALS RECOVERY FACILITY UPON A FINDING THAT A SUFFICIENT WASTE STREAM IS AVAILABLE TO SUPPORT THE FACILITY, is referred to the Committee on Environment.

By Representatives J. W. Crawford, Bowman, Hensley, and Mercer:

H.B. 148, A BILL TO BE ENTITLED AN ACT TO INCREASE STATE EFFORT TO PREVENT DROPPING OUT OF SCHOOL BEFORE GRADUATION, is referred to the Committee on Education.

By Representatives J. W. Crawford, Bowman, and Mercer:

H.B. 149, A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATE EFFORT TO PROVIDE REMEDIATION, is referred to the Committee on Education.

By Representatives J. W. Crawford, Bowman, Hardaway, and Mercer:

H.B. 150, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR IMPROVEMENT IN THE FUNDING OF PUBLIC EDUCATION, is referred to the Committee on Appropriations.

By Representatives J. W. Crawford, Bowman, and Mercer:

H.B. 151, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE HIGHER EDUCATION IN NORTH CAROLINA, is referred to the Committee on Education.

By Representatives J. W. Crawford, Bowman, Hensley, and Mercer:

H.B. 152, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE COOPERATIVE EDUCATIONAL EFFORTS BETWEEN THE DEPARTMENT OF PUBLIC EDUCATION AND THE DEPARTMENT OF COMMUNITY COLLEGES, is referred to the Committee on Appropriations.

By Representative Dawkins:

H.B. 153, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAWS GOVERNING ADMINISTRATIVE HEARINGS AND TO REPEAL THE SUNSET ON THE REVISED ADMINISTRATIVE PROCEDURE ACT, is referred to the Committee on Judiciary II.

On motion of Representative James, the rules are suspended and the following is introduced and read the first time:

By Representatives James and Thompson:

H.J.R. 167, A JOINT RESOLUTION PROVIDING THAT THE 1991 GENERAL ASSEMBLY MEET ON THE CAMPUS OF ELIZABETH CITY STATE UNIVERSITY IN HONOR OF THE ONE HUNDREDTH ANNIVERSARY OF THE UNIVERSITY'S FOUNDING, is referred to the Committee on Rules, Appointments and Calendar.

RE-REFERRALS

On motion of Representative Jack Hunt, the rules are suspended and **H.B. 5**, A BILL TO BE ENTITLED AN ACT TO RAISE THE MINIMUM WAGE AND TO AUTHORIZE A TRAINING WAGE, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Economic Expansion.

On motion of Representative Jack Hunt, the rules are suspended and **H.J.R. 7**, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE TO STUDY THE REVENUE LAWS OF NORTH CAROLINA, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Appropriations.

On motion of Representative Jack Hunt, the rules are suspended and **H.B. 8**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE HIGHWAY TRUST FUND AND TO MAKE TECHNICAL CHANGES TO THE LAWS AFFECTED BY THE HIGHWAY TRUST FUND, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Finance.

On motion of Representative Jack Hunt, the rules are suspended and **H.B. 9**, A BILL TO BE ENTITLED AN ACT TO REINSTATE SALES TAX ON MOPEDS, TOW DOLLIES, AND CERTAIN VEHICLE BODIES AND TO ESTABLISH A UNIFORM LONG-TERM LEASING RATE, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Finance.

On motion of Representative Jack Hunt, the rules are suspended and **H.B. 10**, A BILL TO BE ENTITLED AN ACT TO ALLOW LESSORS AND RENTERS OF MOTOR VEHICLES TO ELECT TO PAY HIGHWAY USE TAX ON MOTOR VEHICLES OWNED ON OCTOBER 1, 1989, AND TO CLARIFY THAT THESE MOTOR VEHICLES ARE OTHERWISE SUBJECT TO THE GROSS RECEIPTS TAX, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Finance.

On motion of Representative Jack Hunt, the rules are suspended and **H.B. 11**, A BILL TO BE ENTITLED AN ACT TO APPLY THE TIRE TAX, USED TO PAY FOR THE DISPOSAL OF SCRAP TIRES, TO NEW TIRES FOR ROAD CONSTRUCTION EQUIPMENT AND OTHER NEW VEHICLE TIRES, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Finance.

On motion of Representative Jack Hunt, the rules are suspended and **H.B. 12, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED TO DETERMINE CERTAIN TAXABLE INCOME AND TAX EXEMPTIONS**, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Finance.

On motion of Representative Jack Hunt, the rules are suspended and **H.B. 13, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE FRANCHISE TAX INITIAL RETURN AND TO INCREASE THE MINIMUM FRANCHISE TAX**, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Finance.

On motion of Representative Jack Hunt, the rules are suspended and **H.B. 14, A BILL TO BE ENTITLED AN ACT TO END THE EXEMPTION OF THE GENERAL ASSEMBLY FROM THE OPEN MEETINGS LAW**, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Judiciary II.

On motion of Representative Jack Hunt, the rules are suspended and **H.B. 15, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A BINDING REFERENDUM ON THE ESTABLISHMENT OF A NORTH CAROLINA STATE LOTTERY**, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

On motion of Representative Jack Hunt, the rules are suspended and **H.B. 17, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO QUALIFIED COUNTIES TO SURVEY, CLEAN UP, AND ELIMINATE ILLEGAL DISCHARGES OF SEWAGE ONTO LAND OR INTO SURFACE WATERS IN VIOLATION OF ARTICLE 11 OF CHAPTER 130A OF THE NORTH CAROLINA GENERAL STATUTES**, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Appropriations.

On motion of Representative Jack Hunt, the rules are suspended and **H.B. 18, A BILL TO BE ENTITLED AN ACT TO CLARIFY LANGUAGE TO AUTHORIZE LOCAL BOARDS OF HEALTH TO ADOPT RULES MORE STRINGENT THAN THE COMMISSION FOR HEALTH SERVICES OR THE ENVIRONMENTAL MANAGEMENT COMMISSION WHEN DEEMED NECESSARY TO PROTECT THE PUBLIC HEALTH**, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Human Resources.

On motion of Representative Jack Hunt, the rules are suspended and **H.B. 19, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE EXEMPTION FOR CERTAIN DRIVERS LICENSES FOR PUBLIC SAFETY WORKERS**, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Judiciary III.

On motion of Representative Jack Hunt, the rules are suspended and **H.B. 20, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A MORE EFFICIENT AND EQUITABLE PROCEDURE FOR ASSESSING AND COLLECTING LOCAL AD VALOREM PROPERTY TAXES ON CERTAIN MOTOR VEHICLES**, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Finance.

On motion of Representative Jack Hunt, the rules are suspended and **H.B. 26, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL NEEDS AT COMMUNITY-BASED REHABILITATION FACILITIES**, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Appropriations.

On motion of Representative Jack Hunt, the rules are suspended and **H.B. 27, A BILL TO BE ENTITLED AN ACT TO PERMIT PAID FIREMEN TO RECEIVE PENSION BENEFITS FROM THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND WHETHER OR NOT THEY STAY ON A LOCAL PAY-ROLL**, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Pensions and Retirement.

On motion of Representative Jack Hunt, the rules are suspended and **H.B. 28, A BILL TO BE ENTITLED AN ACT TO PERMIT VOLUNTARY CONTRIBUTIONS TO THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND**, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Pensions and Retirement.

On motion of Representative Jack Hunt, the rules are suspended and **H.B. 29, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY BENEFITS FROM THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND**, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Pensions and Retirement.

On motion of Representative Jack Hunt, the rules are suspended and **H.B. 30, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATUTES GOVERNING FIRE RELIEF FUNDS**, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Appropriations.

On motion of Representative Jack Hunt, the rules are suspended and **H.B. 31, A BILL TO BE ENTITLED AN ACT TO PERMIT INJURED FIREMEN TO RECEIVE DISABILITY PAYMENTS UNDER THE NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AFTER ONE YEAR'S SERVICE**, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Pensions and Retirement.

On motion of Representative Jack Hunt, the rules are suspended and **H.B. 32, A BILL TO BE ENTITLED AN ACT TO REENACT AN**

ACT WHICH EXPIRED JANUARY 1, 1991, WHICH SIMPLIFIED THE REQUIREMENTS FOR ELECTION DAY VOTER TRANSFERS, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Judiciary I.

On motion of Representative Jack Hunt, the rules are suspended and H.B. 33, A BILL TO BE ENTITLED AN ACT TO REGULATE THE BUSINESS OF PROVIDING CREDIT REPAIR SERVICES, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Commerce.

ADDENDA TO COMMITTEE ASSIGNMENTS

Speaker Blue announces the following committee changes:

COURTS, JUSTICE, CONSTITUTIONAL AMENDMENTS AND REFERENDA: Remove Representative Ethridge. Add Representatives Payne and Wicker.

ECONOMIC EXPANSION: Subcommittee on Labor Relations, remove Representatives Diamont and Kimsey. Add Representatives Michaux and Pope.

JUDICIARY I: Add Representative Kennedy, Chairman; Representative Wicker, Vice Chairman.

JUDICIARY II: Remove Representatives Morgan and Church. Add Representatives Michaux and Payne.

JUDICIARY III: Remove Representatives N. J. Crawford, Payne, and Michaux. Add Representatives Morgan, Hensley, and Church.

PENSIONS AND RETIREMENT: Remove Representative Ramsey.

PUBLIC EMPLOYEES: Remove Representative Judy Hunt.

RULES, APPOINTMENTS AND CALENDAR: Add Representative Ethridge.

STATE GOVERNMENT: Subcommittee on State Boards and Commissions, remove Representative Pope. Add Representatives Jack Hunt and Rogers. Subcommittee on Military, Veterans and Indian Affairs, add Representative Jeralds. Subcommittee on State Parks, Facilities and Property, remove Representative Jeralds.

TRANSPORTATION: Subcommittee on Highways, add Representative Ethridge.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate.

S.B. 44, A BILL TO BE ENTITLED AN ACT TO EXEMPT ROBESON COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE CONSTRUCTION OF A COUNTY DETENTION FACILITY, is read the first time.

On motion of Representative DeVane, the rules are suspended and the bill is placed before the House for immediate consideration by electronic vote (96-0).

The bill passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

On motion of Representative Jack Hunt, seconded by Representative Miller, the House adjourns at 3:39 p.m. to reconvene Monday, February 25, 1991 at 8:00 p.m.

FIFTEENTH DAY

HOUSE OF REPRESENTATIVES
Monday, February 25, 1991

The House meets at 8:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. Brown, Davie Street Presbyterian Church, Raleigh, N. C.

Representative Jack Hunt, for the Committee on Rules, Appointments, and Calendar reports the Journal of February 21 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Abernethy, Bowen, Brubaker, Ethridge, Mercer, and Rhodes for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Holmes and Bowman:

H.B. 154, A BILL TO BE ENTITLED AN ACT TO CREATE A STUDY COMMISSION TO STUDY OCCUPATIONAL AND PROFESSIONAL LICENSING BOARDS, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Hege, Brubaker, Dickson, Gray, Loflin, and Rogers:

H.B. 155, A BILL TO BE ENTITLED AN ACT TO MODIFY FINANCE CHARGE RATES FOR REVOLVING CHARGE ACCOUNT CONTRACTS, is referred to the Committee on Commerce.

By Representatives Gray, Decker, Esposito, Kennedy, Oldham, and Rhodes:

H.B. 156, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM TO PASS AN ORDINANCE PROHIBITING THE POSSESSION OF MALT BEVERAGES OR UNFORTIFIED WINE ON PUBLIC PROPERTY, is referred to the Committee on Local and Regional Government II.

By Representative Gist:

H.B. 157, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO WITH RESPECT TO FAIR HOUSING, is referred to the Committee on Local and Regional Government I.

By Representatives Dockham, Culp, Justus, Morgan, Privette, and Russell:

H.B. 158, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN AUTOMATIC 45 DAY DRIVERS LICENSE REVOCATION FOR ANY PERSON 18 TO 21 YEARS OF AGE WHO IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE AND HAS ANY ALCOHOL IN HIS BLOOD, is referred to the Committee on Judiciary II.

By Representatives Huffman, Abernethy, Gardner, Holmes, and Privette:

H.B. 159, A BILL TO BE ENTITLED AN ACT TO PREVENT A DIMINUTION IN MAJOR MUNICIPAL SERVICES PROVIDED WITHIN SIX MONTHS PRIOR TO ANNEXATION, is referred to the Committee on Judiciary III.

By Representatives Hurley, Balmer, Bowman, Culp, Justus, McAllister, Morgan, Privette, Russell, Warner, and Wilson:

H.B. 160, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE JUVENILE LAW STUDY COMMISSION TO PROHIBIT THE COMMERCIAL DISSEMINATION OF SADISTIC VIDEOS TO MINORS, is referred to the Committee on Judiciary I.

By Representatives Green, Barnhill, and Gamble:

H.B. 161, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE HEALTH DIRECTOR INTERN PROGRAM, is referred to the Committee on Appropriations.

By Representatives Rhyne and Morgan:

H.J.R. 162, A JOINT RESOLUTION CONFIRMING THE APPOINTMENT BY GOVERNOR JAMES G. MARTIN OF WILLIAM T. GRAHAM AS COMMISSIONER OF BANKS FOR A TERM TO EXPIRE MARCH 31, 1995, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Abernethy, Anderson, Chapin, Ethridge, Grady, Justus, Lewis, Mercer, Redwine, Rhodes, and Smith:

H.B. 163, A BILL TO BE ENTITLED AN ACT TO PROVIDE A TAX CREDIT FOR THE USE OF NORTH CAROLINA PORTS, is referred to the Committee on Finance.

By Representatives Lutz, Barnes, Bowman, Buchanan, Fussell, Green, Greenwood, and Privette:

H.J.R. 164, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE THE

STUDY ON HOMELESS PERSONS, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Green, Barnes, Buchanan, Fussell, Greenwood, Lutz, and Privette:

H.B. 165, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE MAINTENANCE OF AFFORDABLE HOUSING STOCK, is referred to the Committee on Economic Expansion.

By Representatives Anderson, Lilley, and Wainwright:

H.B. 166, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF A PORTION OF STATE ROAD 1401 IN CRAVEN COUNTY, is referred to the Committee on Local and Regional Government II.

By Representatives Jeralds, Anderson, Barnhill, Bowman, N. J. Crawford, Dickson, Ethridge, Gottovi, Green, Hensley, Luebke, Mercer, Privette, Stamey, Stewart, and Woodard:

H.B. 168, A BILL TO BE ENTITLED AN ACT TO AMEND THE HOME HEALTH LICENSURE ACT, is referred to the Committee on Human Resources.

CALENDAR

Action is taken on the following:

H.R. 107, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

On motion of Representative Warner, Committee Amendment No. 1 is adopted by electronic vote (101-0).

On motion of Representative Warner, Committee Amendment No. 2 is adopted by electronic vote (108-0).

On motion of Representative Warner, the resolution, as amended, is adopted by electronic vote (107-0). The Chair orders the resolution engrossed and printed. (The resolution in its entirety may be found in the Appendix.)

SUSPENSION OF RULES TO INTRODUCE BILL

On motion of Representative Wicker, the rules are suspended and the following is introduced and read the first time:

By Representative Wicker:

H.J.R. 171, A JOINT RESOLUTION INVITING THE HONORABLE JAMES G. EXUM, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES.

On motion of Representative Wicker, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (105-1), and there being no objection is read a third time.

On motion of Representative Wicker, the resolution is temporarily displaced in order that a Special Message from the Senate may be read.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

S.J.R. 187, A JOINT RESOLUTION INVITING THE HONORABLE JAMES G. EXUM, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES.

On motion of Representative Wicker, the rules are suspended, by electronic vote (100-7), and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (105-3), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

The Speaker appoints as a committee on the part of the House to escort the Chief Justice of the Supreme Court to the Joint Session, Representatives Wicker and Rhyne.

CALENDAR (continued)

H.B. 24, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE THE LAWS CONCERNING REPORTS BY THE DEPARTMENT OF REVENUE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McLaughlin, McLawhorn, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhyne, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 108.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Ethridge, Mercer, and Rhodes - 6.

H.B. 50, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE PROPERTY TAX STATUTES.

On motion of Representative Pope, Committee Amendment No. 1 is adopted by electronic vote (107-0).

The bill, as amended, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

DELEGATION ANNOUNCED

The Speaker announces the following delegation to attend the funeral of former House member Carson W. Gregory: Representatives Stewart and Wicker.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 44, AN ACT TO EXEMPT ROBESON COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE CONSTRUCTION OF A COUNTY DETENTION FACILITY. (CHAPTER 2)

On motion of Representative Jack Hunt, seconded by Representative Wicker, the House adjourns, by electronic vote (101-1), in memory of former House member Carson W. Gregory, at 8:55 p.m. to reconvene February 26 at 3:00 p.m.

SIXTEENTH DAY

HOUSE OF REPRESENTATIVES

Tuesday, February 26, 1991

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments, and Calendar reports the Journal of February 25 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (98-0).

Leaves of absence are granted Representatives Lutz, Rhodes, Stewart, and Wicker for today.

Representative Gardner is recognized and granted permission to have the following statement spread upon the Journal.

"On the motion to adjourn the February 25, 1991 session of the General Assembly, I inadvertently pressed the wrong button. I would like that to be so noted in the Journal."

S/ Charlotte A. Gardner

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

H.J.R. 121, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THOMAS MEREDITH, ON THE OCCASION OF THE CENTENNIAL OF THE GRANTING OF THE CHARTER TO BAPTIST FEMALE UNIVERSITY (MEREDITH COLLEGE) BY THE NORTH CAROLINA GENERAL ASSEMBLY, with a favorable report.

On motion of Representative Jack Hunt, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

By Representative Lutz for the Committee on Local and Regional Government II:

H.B. 84, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON LEGISLATION AUTHORIZING CURRITUCK COUNTY TO LEVY AN EXCISE TAX ON INSTRUMENTS CONVEYING REAL PROPERTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H.B. 85, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CURRITUCK COUNTY TO ESTABLISH NOISE DISTRICTS AND TO REGULATE NOISE WITHIN THOSE DISTRICTS, with a favorable report.

H.B. 86, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTY OF CURRITUCK TO COLLECT A SOLID WASTE FEE THAT IS BILLED AND PAID IN THE SAME MANNER AS AD VALOREM TAXES AND THAT MAY RESULT IN THE IMPOSITION OF A LIEN, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H.B. 88, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CITY OF LAURINBURG FROM CERTAIN ZONING NOTICE REQUIREMENTS, with a favorable report.

H.B. 112, A BILL TO BE ENTITLED AN ACT RELATING TO THE MANNER OF FILLING VACANCIES IN THE OFFICE OF REGISTER OF DEEDS OF LINCOLN COUNTY, with a favorable report.

H.B. 138, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IN FILLING A VACANCY IN THE OFFICE OF SHERIFF OF LINCOLN COUNTY, THE COUNTY BOARD OF COMMISSIONERS MUST APPOINT THE NOMINEE OF THE PARTY

EXECUTIVE COMMITTEE OF THE VACATING SHERIFF, with a favorable report.

By Representative R. Hunter for the Committee on Judiciary III:

H.B. 69, A BILL TO BE ENTITLED AN ACT TO PROVIDE SEMIPERMANENT REGISTRATION PLATES FOR MEMBERS OF VOLUNTEER FIRE DEPARTMENTS AND RESCUE SQUADS, with a favorable report and recommendation that the bill be re-referred to the Committee on Transportation.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives James and Thompson:

H.B. 169, A BILL TO BE ENTITLED AN ACT TO FORGIVE REPAYMENT OF A LOAN MADE FROM THE LITERARY FUND TO PASQUOTANK COUNTY, is referred to the Committee on Appropriations.

By Representatives James and Bowman:

H.B. 170, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE WORKER TRAINING TRUST FUND, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Buchanan:

H.B. 172, A BILL TO BE ENTITLED AN ACT TO RESUME ELECTING THE TAX COLLECTOR AND COUNTY ACCOUNTANT OF MITCHELL COUNTY, is referred to the Committee on Local and Regional Government II.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 46, A BILL TO BE ENTITLED AN ACT CONCERNING DISPOSITION OF PROPERTY FOR LOCAL DEVELOPMENT IN CATAWBA COUNTY, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 47, A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN RADIO EMERGENCY ASSOCIATED CITIZENS TEAMS (REACT) VEHICLES TO ACTIVATE AMBER LIGHTS WHILE OPERATING ON THE HIGHWAYS, is read the first time and referred to the Committee on Judiciary III.

S.B. 63, A BILL TO BE ENTITLED AN ACT TO ALLOW BURKE COUNTY TO NAME PRIVATE ROADS, is read the first time and referred to the Committee on Local and Regional Government I.

CALENDAR

Action is taken on the following:

H.B. 24, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE THE LAWS CONCERNING REPORTS BY THE DEPARTMENT OF REVENUE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McAllister, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Redwine, Rhyne, Robinson, Rogers, Russell, Stamey, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, Woodard - 110.

Voting in the negative: None.

Excused absences: Representatives Lutz, Rhodes, Stewart, and Wicker - 4.

H.J.R. 171, A JOINT RESOLUTION INVITING THE HONORABLE JAMES G. EXUM, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES.

On motion of Representative Fitch, **H.J.R. 171** is postponed indefinitely by electronic vote (110-2).

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

February 26, 1991

Mr. Speaker:

Pursuant to **S.J.R. 187, A JOINT RESOLUTION INVITING THE HONORABLE JAMES G. EXUM, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES**, the President Pro Tempore appoints as a committee on the part of the Senate to escort the Chief Justice to the Joint Session in the Hall of the House of Representatives on Wednesday, February 27, 1991 at 3:30 p.m.: Senators Sands and Soles.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.J.R. 187, A JOINT RESOLUTION INVITING THE HONORABLE JAMES G. EXUM, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES. (RESOLUTION 3)

On motion of Representative Jack Hunt, seconded by Representative Russell, the House adjourns, by electronic vote (110-1), at 3:37 p.m. to reconvene February 27 at 3:00 p.m.

SEVENTEENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, February 27, 1991

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Marietta G. "Murt" Watson, President, North Carolina Federation of Business and Professional Women's Clubs, Inc.

Representative Jack Hunt, for the Committee on Rules, Appointments, and Calendar reports the Journal of February 26 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (102-0).

Leaves of absence are granted Representatives Sam Hunt, Green, Lutz, and Redwine for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Gist for the Committee on Local and Regional Government I:

H.B. 63, A BILL TO BE ENTITLED AN ACT TO ALLOW BURKE COUNTY TO NAME PRIVATE ROADS, with a favorable report.

H.B. 76, A BILL TO BE ENTITLED AN ACT TO AMEND THE CITY OF GREENSBORO CHARTER REGARDING INITIATIVE ELECTIONS, REWARDS, AND SETTLEMENT OF CLAIMS, with a favorable report.

H.B. 113, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF AYDEN TO DISPOSE OF CERTAIN PROPERTY BY PRIVATE NEGOTIATION AND SALE, with a favorable report.

H.B. 119, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF PINEVILLE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

SUBCOMMITTEE REFERRALS

Representative Hasty, Chairman for the Standing Committee on Economic Expansion, refers **H.B. 165, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE MAINTENANCE OF AFFORDABLE HOUSING STOCK**, to the Permanent Subcommittee on Small Business.

Representative DeVane, Chairman for the Standing Committee on Environment, refers:

H.B. 25, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ESTABLISH A COMMUNITY SERVICE PROGRAM; AND TO REQUIRE THAT COMMUNITY SERVICE MUST BE PERFORMED IN EXCHANGE FOR REMITTED FINES, to the Permanent Subcommittee on Water, Air and Soil.

H.B. 60, A BILL TO BE ENTITLED AN ACT TO REPEAL THE STATUTES CREATING THE NORTH CAROLINA HAZARDOUS WASTE MANAGEMENT COMMISSION, to the Permanent Subcommittee on Hazardous Waste.

H.B. 97, A BILL TO BE ENTITLED AN ACT TO AID RECYCLING EFFORTS BY REQUIRING DISPOSABLE GLASS CONTAINERS TO BE A UNIFORM COLOR, to the Permanent Subcommittee on Solid Waste.

H.B. 124, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES PREPARE A WATER RESOURCES DEVELOPMENT PROJECTS PLAN AND TO PROVIDE THAT THE DIRECTOR OF THE BUDGET REVIEW THE PLAN AND ADOPT A WATER RESOURCES DEVELOPMENT PROGRAM, to the Permanent Subcommittee on Water, Air and Soil.

H.B. 125, A BILL TO BE ENTITLED AN ACT TO REQUIRE REGISTRATION OF ALL WATER TRANSFERS AND TO REQUIRE A PERMIT FOR THE TRANSFER OF ONE MILLION GALLONS OR MORE OF WATER PER DAY FROM ONE RIVER BASIN TO ANOTHER, to the Permanent Subcommittee on Water, Air and Soil.

H.B. 133, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO USE, CONSISTENT WITH APPLICABLE ENGINEERING STANDARDS AND ECONOMIC FEASIBILITY, CERTAIN RECYCLED GOODS FOR CERTAIN SPECIFIED PURPOSES, to the Permanent Subcommittee on Solid Waste.

H.B. 134, A BILL TO BE ENTITLED AN ACT AUTHORIZING A COUNTY TO ENACT AN ORDINANCE REQUIRING PRIVATE RECYCLERS TO SUBMIT A REPORT TO THE COUNTY ON THE RECYCLABLE MATERIALS SUBJECT TO THE GOAL SET FORTH IN G.S. 103A-309.04 THAT ARE BEING RECOVERED BY THE RECYCLER WITHIN THE COUNTY, to the Permanent Subcommittee on Solid Waste.

H.B. 135, A BILL TO BE ENTITLED AN ACT TO REQUIRE A CERTIFIED TRANSPORTER OF USED OIL TO MARK ALL ITS VEHICLES OR CONTAINERS OF USED OIL ON THE VEHICLES WHICH TRANSPORT USED OIL, to the Permanent Subcommittee on Solid Waste.

H.B. 136, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISPOSAL OF CERTAIN CLASSES OF SOLID WASTE BY INCINERATION, to the Permanent Subcommittee on Solid Waste.

H.B. 137, A BILL TO BE ENTITLED AN ACT TO PROHIBIT CERTAIN ACTS REGARDING ANTIFREEZE, to the Permanent Subcommittee on Solid Waste.

H.B. 147, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO CONDITION THE ISSUANCE OF A PERMIT FOR AN INCINERATOR AND A MATERIALS RECOVERY FACILITY UPON A FINDING THAT A SUFFICIENT WASTE STREAM IS AVAILABLE TO SUPPORT THE FACILITY, to the Permanent Subcommittee on Solid Waste.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Easterling, Colton, Cunningham, and Gray:

H.B. 173, A BILL TO BE ENTITLED AN ACT TO REESTABLISH AND CONTINUE THE STUDY COMMISSION ON SOCIAL SERVICES, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Easterling, Colton, Gray, and Hensley:

H.B. 174, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE ADDITIONAL CHILD PROTECTIVE SERVICES, is referred to the Committee on Appropriations.

By Representatives Dawkins, Abernethy, Beall, Beard, Bowman, Fussell, Hardaway, Hightower, Jordan, Ligon, Luebke, McLawhorn, Mavretic, Mercer, Miller, and Stamey:

H.B. 175, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE, CLARIFY, AND IMPROVE THE STATUTES RELATING TO RAILROAD/MOTOR VEHICLE SAFETY, is referred to the Committee on Judiciary II.

By Representatives Sam Hunt, Bowman, Creech, DeVane, Grimmer, H. Hunter, McLaughlin, and Robinson:

H.B. 176, A BILL TO BE ENTITLED AN ACT ESTABLISHING A METHOD FOR SETTING THE FEES PAID TO CONTRACT AGENTS OF THE DIVISION OF MOTOR VEHICLES, is referred to the Committee on Transportation.

By Representatives Brubaker and Bowman:

H.B. 177, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONTINUATION OF THE DEPOSITORY INSTITUTIONS STUDY COMMISSION, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Hurley, Beard, Jeralds, McAllister, and Warner:

H.B. 178, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMUNITY COLLEGES FOR EQUIPMENT FOR THE CENTER FOR APPLIED TECHNOLOGY AT FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE, is referred to the Committee on Appropriations.

By Representatives Flaherty, Balmer, and Grimmer:

H.B. 179, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LICENSES AND REGISTRATIONS ISSUED TO LAW ENFORCEMENT AGENCIES FOR UNDERCOVER WORK SHALL BE CONFIDENTIAL AND RECORDS SHALL NOT BE PUBLIC RECORDS, is referred to the Committee on Judiciary III.

By Representatives Flaherty, Buchanan, and Robinson:

H.B. 180, A BILL TO BE ENTITLED AN ACT TO INCREASE TO ONE THOUSAND DOLLARS OR MORE THE AMOUNT FOR WHICH THE FOLLOWING OFFENSES ARE DESIGNATED FELONIES RATHER THAN MISDEMEANORS AND TO MAKE CONFORMING CHANGES: WORTHLESS CHECKS, LARCENY OF PROPERTY, RECEIPT OF STOLEN GOODS, FRAUDULENT ATTEMPT TO OBTAIN FOOD STAMPS, is referred to the Committee on Judiciary III.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

S.J.R. 92, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THOMAS MEREDITH, ON THE OCCASION OF THE CENTENNIAL OF THE GRANTING OF THE CHARTER TO BAPTIST FEMALE UNIVERSITY (MEREDITH COLLEGE) BY THE NORTH CAROLINA GENERAL ASSEMBLY, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.J.R. 118, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENT OF WILLIAM T. GRAHAM AS COMMISSIONER OF BANKS, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.J.R. 95, A JOINT RESOLUTION PROVIDING THAT THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE MAY, DURING THE 1991 REGULAR SESSION, PROVIDE FOR JOINT SESSIONS OF BOTH HOUSES TO ACT ON CONFIRMATION OF NOMINEES

OR APPOINTMENTS, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 144, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE TO APRIL 1, 1991, FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO MAKE ITS FIRST REPORT ASSESSING THE RECYCLING INDUSTRY AND MARKETS FOR RECYCLABLE MATERIALS IN THE STATE, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 50, A BILL TO BE ENTITLED AN ACT TO APPOINT A PERSON TO FILL A VACANCY ON THE STATE BOARD OF TRANSPORTATION UPON THE RECOMMENDATION OF THE PRESIDENT OF THE SENATE, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 75, A BILL TO BE ENTITLED AN ACT GIVING THE ECONOMIC FUTURE STUDY COMMISSION MORE TIME TO SUBMIT ITS FINAL REPORT, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

CALENDAR

Action is taken on the following:

H.B. 88, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CITY OF LAURINBURG FROM CERTAIN ZONING NOTICE REQUIREMENTS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 112, A BILL TO BE ENTITLED AN ACT RELATING TO THE MANNER OF FILLING VACANCIES IN THE OFFICE OF REGISTER OF DEEDS OF LINCOLN COUNTY, passes its second reading.

Representative Mavretic objects to the third reading. The bill remains on the Calendar.

Representative Mavretic withdraws his objection to the third reading.

Representative Mavretic offers Amendment No. 1 which is adopted by electronic vote (87-0). This amendment changes the title.

The title having been changed, the bill remains on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
February 27, 1991

Mr. Speaker:

It is ordered that a message be sent the House of Representatives that pursuant to **S.J.R. 187**, A JOINT RESOLUTION INVITING THE

HONORABLE JAMES G. EXUM, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your Honorable Body.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders a Special Message sent to the Senate informing that Honorable Body that the House stands ready to receive them in Joint Session.

JOINT SESSION

Pursuant to resolution heretofore adopted and exchange of messages, the Sergeant-at-Arms of the House of Representatives announces the arrival of the Senate at the door of the House. The Speaker directs the admittance and seating of that Honorable Body.

The Sergeant-at-Arms of the House is recognized and he announces the approach of the Associate Justices of the Supreme Court who are seated in a body for the Joint Session.

The Sergeant-at-Arms of the House is recognized and he announces the approach of the members of the Court of Appeals who are seated in a body for the Joint Session.

The Joint Session is called to order by the Speaker of the House, Representative Blue.

The Speaker extends the courtesies of the gallery to the following family members of Chief Justice Exum: Mrs. Judy Exum, wife; James Exum III, son; Mary Exum, daughter; and family friend, Miss Kaity Darrah.

The Sergeant-at-Arms of the House announces the approach of the Chief Justice of the Supreme Court. His Honor, James G. Exum, Jr., enters escorted by Senators Sands and Soles, and Representatives Wicker and Rhyne.

The Speaker recognizes Senator Soles who presents his Honor, James G. Exum, Jr., Chief Justice of the Supreme Court of North Carolina to the Joint Assembly. (The full text of his address can be found in the Appendix.)

Upon the completion of his address, the Chief Justice, joined by the escort committee, leaves the Hall of the House.

On motion of Senator Barnes, the Joint Session is dissolved and the Senate returns to its Chamber.

The House resumes its business.

CALENDAR (continued)

H.B. 85, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CURRITUCK COUNTY TO ESTABLISH NOISE DISTRICTS AND

TO REGULATE NOISE WITHIN THOSE DISTRICTS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 138, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IN FILLING A VACANCY IN THE OFFICE OF SHERIFF OF LINCOLN COUNTY, THE COUNTY BOARD OF COMMISSIONERS MUST APPOINT THE NOMINEE OF THE PARTY EXECUTIVE COMMITTEE OF THE VACATING SHERIFF.

Representative Mavretic offers Amendment No. 1 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading, by electronic vote (89-0), and remains on the Calendar.

On motion of Representative Jack Hunt, seconded by Representative Cunningham, the House adjourns, by electronic vote (85-1), at 4:35 p.m. to reconvene February 28 at 1:30 p.m.

EIGHTEENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, February 28, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Hackney for the Committee on Rules, Appointments and Calendar reports the Journal of February 27 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (89-0).

Leaves of absence are granted Representatives Brubaker, Diamont, Dickson, Foster, Lutz, and Mavretic for today.

SUSPENSION OF RULES TO INTRODUCE BILL

On motion of Representative James, the rules are suspended and the following is introduced and read the first time:

By Representative James and Thompson:

H.J.R. 202, A JOINT RESOLUTION HONORING HUGH CALE, A FORMER MEMBER OF THE GENERAL ASSEMBLY, AND COMMENDING ELIZABETH CITY STATE UNIVERSITY FOR ITS CONTRIBUTIONS TO THE ADVANCEMENT OF EDUCATION ON THE ONE HUNDREDTH YEAR OF THE UNIVERSITY'S FOUNDING.

On motion of Representative James, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Dawkins for the Committee on Judiciary II:

H.B. 95, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 1079 OF THE 1984 SESSION LAWS TO AUTHORIZE CUMBERLAND COUNTY TO SELL INDUSTRIAL SITES IN ITS INDUSTRIAL PARK WITHOUT COMPLIANCE WITH G.S. 158-7.1(d), with a favorable report.

SUBCOMMITTEE REFERRALS

Representatives Hackney and Miller, Chairmen for the Standing Committee on Finance, refer:

H.B. 9, A BILL TO BE ENTITLED AN ACT TO REINSTATE SALES TAX ON MOPEDS, TOW DOLLIES, AND CERTAIN VEHICLE BODIES AND TO ESTABLISH A UNIFORM LONG-TERM LEASING RATE, to the Permanent Subcommittee on State Revenue.

H.B. 10, A BILL TO BE ENTITLED AN ACT TO ALLOW LESSORS AND RENTERS OF MOTOR VEHICLES TO ELECT TO PAY HIGHWAY USE TAX ON MOTOR VEHICLES OWNED ON OCTOBER 1, 1989, AND TO CLARIFY THAT THESE MOTOR VEHICLES ARE OTHERWISE SUBJECT TO THE GROSS RECEIPTS TAX, to the Permanent Subcommittee on State Revenue.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Easterling, Chapin, Creech, Cunningham, James, and Lineberry:

H.B. 181, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FROM THE WORKER TRAINING TRUST FUND AND FROM THE SPECIAL EMPLOYMENT SECURITY ADMINISTRATION FUND, is referred to the Committee on Appropriations.

By Representatives Barnes, Buchanan, Fussell, Green, Greenwood, Luebke, Lutz, and Privette:

H.B. 182, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE NORTH CAROLINA HOUSING FINANCE AGENCY TO EXPAND ITS USE OF THE MULTIFAMILY RENTAL ASSISTANCE FUND TO AID IN THE PREVENTION OF HOMELESSNESS, is referred to the Committee on Commerce.

By Representatives Esposito, Barnhill, and Dickson:

H.B. 183, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO CONDUCT VARIOUS HEALTH-RELATED PROJECTS, is referred to the Committee on Human Resources.

By Representative Abernethy:

H.B. 184, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE PARTIAL TAX EXEMPTION FOR FOREIGN SALES CORPORATIONS AND TO MODIFY DEPARTMENT OF REVENUE REPORTING DATES IN ORDER TO PROVIDE SUFFICIENT INFORMATION FOR THE GENERAL ASSEMBLY TO DECIDE WHETHER TO RETAIN THE TAX EXEMPTION, is referred to the Committee on Finance.

By Representatives Abernethy, Dickson, Gamble, and Rhyne:

H.B. 185, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCOPE OF THE GASTON COUNTY OCCUPANCY TAX, is referred to the Committee on Local and Regional Government II.

By Representatives Holmes and Bowman:

H.B. 186, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN DESIGNATED STATE PUBLICATIONS BE PRINTED ON ALKALINE PAPER, is referred to the Committee on State Government.

By Representatives Diamont, Bowman, Brubaker, N. J. Crawford, Culp, DeVane, Easterling, Ethridge, Fitch, Fletcher, Fussell, Gottovi, Green, Grimmer, Holt, Sam Hunt, H. Hunter, Kahl, Lineberry, Luebke, Mercer, Payne, and Redwine:

H.B. 187, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CENTER FOR COMMUNITY SELF-HELP TO FURTHER A STATEWIDE ECONOMIC DEVELOPMENT PROGRAM, is referred to the Committee on Appropriations.

By Representatives Greenwood, Barnes, Barnhill, Beall, Black, Bowie, Bowman, Brawley, Brown, Buchanan, Church, Colton, J. W. Crawford, N. J. Crawford, Dial, Diamont, Easterling, Fitch, Flaherty, Fletcher, Foster, Fussell, Gist, Gottovi, Green, Hackney, Hightower, Holt, Jack Hunt, R. Hunter, Hurley, Jarrell, Jeffus, Jeralds, Justus, Kennedy, Lilley, Lineberry, Lutz, McAllister, Mercer, Nesbitt, Nye, Payne, Privette, Ramsey, Stamey, Stewart, Wainwright, Warner, Wicker, Withrow, and Woodard:

H.B. 188, A BILL TO BE ENTITLED AN ACT TO REQUIRE A VIGOROUS STATE OUTREACH TO THE HOMELESS AND TO APPROPRIATE FUNDS, is referred to the Committee on Appropriations.

By Representatives Warner, Beard, Brawley, Brown, Decker, DeVane, Dial, Grimmer, Hasty, Hightower, Hurley, Isenhower, Jeralds, Jones, Kimsey, Ligon, Lineberry, McAllister, and Privette:

H.B. 189, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ISSUANCE OF FICTITIOUS DRIVERS LICENSES AND

REGISTRATION PLATES AND TO CREATE A CONFIDENTIAL REGISTRATION FILE, is referred to the Committee on Judiciary III.

By Representative Rhynes:

H.B. 190, A BILL TO BE ENTITLED AN ACT ALLOWING JUDGMENT FOR EQUITABLE DISTRIBUTION TO BE ENTERED PRIOR TO ENTRY OF DIVORCE DECREE IN CERTAIN CASES, is referred to the Committee on Judiciary I.

By Representatives Hardaway, Buchanan, and Cunningham:

H.B. 191, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COMPREHENSIVE GOALS PROGRAM FOR INCLUSION OF BUSINESSES OWNED BY MINORITIES, WOMEN, AND THE DISABLED IN PUBLIC CONTRACTS, is referred to the Committee on State Government.

By Representatives Jones, Bowman, and Decker:

H.B. 192, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE JUVENILE LAW STUDY COMMISSION TO ALLOW TERMINATION OF PARENTAL RIGHTS AFTER A PARENT HAS LEFT A CHILD IN FOSTER CARE FOR TWELVE MONTHS WITHOUT MAKING REASONABLE PROGRESS TOWARDS CORRECTING THE CONDITIONS THAT LED TO FOSTER CARE, is referred to the Committee on Judiciary I.

CALENDAR

Action is taken on the following:

H.B. 112, A BILL TO BE ENTITLED AN ACT RELATING TO THE MANNER OF FILLING VACANCIES IN THE OFFICE OF REGISTER OF DEEDS OF EDGECOMBE AND LINCOLN COUNTIES.

The bill, as amended, passes its third reading, by electronic vote (99-0), and is ordered engrossed and sent to the Senate.

H.B. 138, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IN FILLING A VACANCY IN THE OFFICE OF SHERIFF OF EDGECOMBE AND LINCOLN COUNTIES, THE COUNTY BOARD OF COMMISSIONERS MUST APPOINT THE NOMINEE OF THE PARTY EXECUTIVE COMMITTEE OF THE VACATING SHERIFF.

The bill, as amended, passes its third reading, by electronic vote (103-0), and is ordered engrossed and sent to the Senate.

H.B. 63, A BILL TO BE ENTITLED AN ACT TO ALLOW BURKE COUNTY TO NAME PRIVATE ROADS.

Representative Culp offers Amendment No. 1 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading, by electronic vote (105-0), and remains on the Calendar.

H.B. 76, A BILL TO BE ENTITLED AN ACT TO AMEND THE CITY OF GREENSBORO CHARTER REGARDING INITIATIVE ELECTIONS, REWARDS, AND SETTLEMENT OF CLAIMS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 113, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF AYDEN TO DISPOSE OF CERTAIN PROPERTY BY PRIVATE NEGOTIATION AND SALE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Hackney, seconded by Representative Sam Hunt, the House adjourns at 2:06 p.m. to reconvene Monday, March 4, 1991 at 8:00 p.m.

NINETEENTH DAY

HOUSE OF REPRESENTATIVES

Monday, March 4, 1991

The House meets at 8:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments, and Calendar reports the Journal of February 28 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (91-0).

Leaves of absence are granted Representatives Abernethy, Brubaker, Culp, R. Hunter, Lutz, Mavretic, Warner, and Wood for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives James and Thompson:

H.B. 193, A BILL TO BE ENTITLED AN ACT TO ALLOW CURTIS COUNTY TO ESTABLISH A SPECIAL LEASH LAW DISTRICT, APPLY A LEASH LAW WITHIN THAT DISTRICT, AND LEVY A TAX IN THAT DISTRICT FOR ENFORCEMENT OF THE LEASH LAW, is referred to the Committee on Local and Regional Government II.

By Representatives James and Thompson:

H.B. 194, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ELIZABETH CITY-PASQUOTANK COUNTY AIRPORT

AUTHORITY TO ENTER INTO A LEASE WITH A FIXED BASE OPERATOR, is referred to the Committee on Local and Regional Government II.

By Representatives Ligon, Barbee, Brawley, Brubaker, Buchanan, Culp, Gardner, Gottovi, Hege, Howard, R. Hunter, Isenhower, Justus, Privette, and Wilson:

H.B. 195, A BILL TO BE ENTITLED AN ACT TO REDUCE THE AMOUNT REQUIRED FOR A PRESCRIPTION DRUG POSSESSION OFFENSE, is referred to the Committee on Judiciary I.

By Representatives Ligon, Barbee, Bowman, Buchanan, Culp, Flaherty, Gardner, Gottovi, Hege, Howard, R. Hunter, Isenhower, Justus, Privette, and Wilson:

H.B. 196, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE RESTRICTION OF CREDIT SALES AT ABC STORES, is referred to the Committee on Judiciary III.

By Representative Loflin:

H.B. 197, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF STALLINGS TO OPERATE A CONTRACT POST OFFICE, is referred to the Committee on Local and Regional Government I.

By Representatives Pope, Abernethy, Bowman, Esposito, Grady, Grimmer, Howard, Sam Hunt, H. Hunter, Hurley, Justus, Loflin, Mavretic, Morgan, Rhine, Russell, Wilson, and Wood:

H.B. 198, A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE THE GENERAL FUND BUDGET PROCESS SO AS TO ASSURE MORE STABLE BUDGETING, BY PROVIDING FOR USE OF THE PRIOR CALENDAR YEAR'S COLLECTIONS AS THE REVENUE ESTIMATES, LIMITING USE OF REVERSIONS TO ONE-TIME EXPENDITURES, AND PROVIDING FOR A RESERVE FUND, is referred to the Committee on Appropriations.

By Representatives Mercer, Albertson, Bowman, and Colton:

H.B. 199, A BILL TO BE ENTITLED AN ACT TO ELIMINATE LOCK BOX INVENTORY REQUIREMENT WHERE THE PERSON ENTITLED TO ACCESS TO THE LOCK BOX IS THE SURVIVING SPOUSE, is referred to the Committee on Judiciary II.

By Representative Mercer:

H.B. 200, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CHADBOURN LIBRARY AND DEPOT MUSEUM, is referred to the Committee on Appropriations.

By Representatives Chapin, Bowman, Lineberry, McLawhorn, Russell, Smith, and Thompson:

H.B. 201, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR ADDITIONAL SUPPORT OF

THE RESIDENTIAL SUMMER SCHOOL PROGRAMS OPERATED BY THE OFFICE OF RURAL EDUCATION, WESTERN CAROLINA UNIVERSITY AND BY THE RURAL EDUCATION INSTITUTE, EAST CAROLINA UNIVERSITY, is referred to the Committee on Appropriations.

By Representatives Colton, N. J. Crawford, Easterling, Gray, Greenwood, Nesbitt, and Stamey:

H.B. 203, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A FOSTER CARE REIMBURSEMENT RATE FOR CHILDREN WITH SPECIAL NEEDS AND TO APPROPRIATE FUNDS FOR TRAINING OF FOSTER PARENTS, is referred to the Committee on Appropriations.

By Representatives Colton, N. J. Crawford, Easterling, Flaherty, Gray, Greenwood, Nesbitt, and Stamey:

H.B. 204, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SOCIAL SERVICES COMMISSION TO ADOPT RULES PERTAINING TO THE EDUCATION REQUIREMENTS FOR DOMICILIARY HOMES, is referred to the Committee on Human Resources.

By Representatives Nesbitt, Anderson, Bowman, Colton, N. J. Crawford, Diamont, Easterling, Ethridge, Flaherty, Fussell, Gottovi, Greenwood, Hensley, Holt, H. Hunter, Jeralds, Jones, Luebke, McLawhorn, Nye, Oldham, Payne, and Stamey:

H.B. 205, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EARLY INTERVENTION, DEVELOPMENTAL SERVICES, AND EDUCATION FOR HANDICAPPED CHILDREN FROM BIRTH THROUGH FOUR YEARS OF AGE, is referred to the Committee on Appropriations.

SUBCOMMITTEE REFERRALS

Representative Jeralds, Chairman for the Standing Committee on Human Resources, refers:

H.B. 18, A BILL TO BE ENTITLED AN ACT TO CLARIFY LANGUAGE TO AUTHORIZE LOCAL BOARDS OF HEALTH TO ADOPT RULES MORE STRINGENT THAN THE COMMISSION FOR HEALTH SERVICES OR THE ENVIRONMENTAL MANAGEMENT COMMISSION WHEN DEEMED NECESSARY TO PROTECT THE PUBLIC HEALTH, to the Permanent Subcommittee on Health and Mental Health.

H.B. 75, A BILL TO BE ENTITLED AN ACT REQUIRING THAT THE NORTH CAROLINA MEDICAL CARE COMMISSION AND THE SOCIAL SERVICES COMMISSION DRAFT RULES CONTAINING STATE STANDARDS FOR SPECIAL CARE UNITS IN NURSING HOMES AND REST HOMES FOR ALZHEIMER'S AND RELATED DEMENTIA PATIENTS AND THAT THESE COMMISSIONS MAKE A REPORT TO THE STUDY COMMISSION ON AGING, to the Permanent Subcommittee on Aging.

H.B. 82, A BILL TO BE ENTITLED AN ACT TO AMEND THE BEDDING SANITATION LAW, to the Permanent Subcommittee on Health and Mental Health.

H.B. 122, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE STATE AGENCIES AND PUBLIC SCHOOLS TO DEVELOP ON-OR NEAR-SITE DAY CARE FACILITIES FOR THEIR EMPLOYEES, to the Permanent Subcommittee on Children, Youth and Families.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

February 28, 1991

Mr. Speaker:

It is ordered that a message be sent to your Honorable Body notifying you of the election by the Senate, pursuant to **S.R. 93**, A SENATE SIMPLE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, of the following persons to the Board of Governors of the University of North Carolina:

AT-LARGE CATEGORY - FOUR-YEAR TERM

C. C. Cameron
Samuel H. Poole
W. Travis Porter
Marshall Rauch
Thomas Taft
Joseph Thomas

MINORITY PARTY CATEGORY - FOUR-YEAR TERM

Dr. Earl Danieleley
Ward Purrington

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

CALENDAR

Action is taken on the following:

H.B. 63, A BILL TO BE ENTITLED AN ACT TO ALLOW BURKE AND RANDOLPH COUNTIES TO NAME PRIVATE ROADS.

Representative Bowen offers Amendment No. 2 which is adopted by electronic vote (105-0). This amendment changes the title.

The title having been changed, the bill remains on the Calendar.

H.B. 95, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 1079 OF THE 1984 SESSION LAWS TO AUTHORIZE

CUMBERLAND COUNTY TO SELL INDUSTRIAL SITES IN ITS INDUSTRIAL PARK WITHOUT COMPLIANCE WITH G.S. 158-7.1(d), passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.J.R. 202, A JOINT RESOLUTION HONORING HUGH CALE, A FORMER MEMBER OF THE GENERAL ASSEMBLY, AND COMMENDING ELIZABETH CITY STATE UNIVERSITY FOR ITS CONTRIBUTIONS TO THE ADVANCEMENT OF EDUCATION ON THE ONE HUNDREDTH YEAR OF THE UNIVERSITY'S FOUNDING. (RESOLUTION 4)

On motion of Representative Jack Hunt, seconded by Representative Luebke, the House adjourns, by electronic vote (106-3), at 8:25 p.m. to reconvene March 5, 1991 at 3:00 p.m.

TWENTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, March 5, 1991

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments, and Calendar reports the Journal of March 4 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Abernethy, R. Hunter, and Lutz for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Dawkins for the Committee on Judiciary II:

H.B. 68, A BILL TO BE ENTITLED AN ACT TO MAKE THE UNIFORM MANAGEMENT OF INSTITUTIONAL FUNDS ACT APPLICABLE TO COMMUNITY FOUNDATION ENDOWMENT FUNDS ADMINISTERED BY BANKS OR TRUST COMPANIES, with a favorable report.

By Representative Kennedy for the Committee on Judiciary I:

H.B. 32, A BILL TO BE ENTITLED AN ACT TO REENACT AN ACT WHICH EXPIRED JANUARY 1, 1991, WHICH SIMPLIFIED

THE REQUIREMENTS FOR ELECTION DAY VOTER TRANSFERS, with a favorable report.

H.B. 78, A BILL TO BE ENTITLED AN ACT TO CLARIFY FUNERAL BENEFITS PROVIDED BY ALL BURIAL ASSOCIATIONS OPERATING IN NORTH CAROLINA, with a favorable report.

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 12, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED TO DETERMINE CERTAIN TAXABLE INCOME AND TAX EXEMPTIONS, with a favorable report.

By Representative R. Hunter for the Committee on Judiciary III:

H.B. 48, A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN RADIO EMERGENCY ASSOCIATED CITIZENS TEAMS (REACT) VEHICLES TO ACTIVATE AMBER LIGHTS WHILE OPERATING ON THE HIGHWAYS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The committee substitute bill is placed on the Calendar for March 7. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representative Stamey, Chairman for the Standing Committee on Transportation, refers **H.B. 111, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE MUNICIPAL PARTICIPATION IN IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM**, to the Permanent Subcommittee on Highways.

Representative James, Chairman for the Standing Committee on Agriculture, refers **H.B. 118, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO SUBCHAPTER IV OF CHAPTER 113 OF THE NORTH CAROLINA GENERAL STATUTES CONCERNING MARINE FISHERIES**, to the Permanent Subcommittee on Aquaculture and Marine Fisheries.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Redwine and Bowman:

H.B. 206, A BILL TO BE ENTITLED AN ACT TO SPECIFY AND MAKE UNIFORM THROUGHOUT THE STATE THE MANNER OF FILLING VACANCIES IN THE OFFICE OF REGISTER OF DEEDS, AND TO CLARIFY THAT THE REGISTER OF DEEDS TERM IS FOUR YEARS IN ALL COUNTIES, is referred to the Committee on Judiciary II.

By Representative H. Hunter:

H.B. 207, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN THE RESTORATION OF THE

WALTER REED HOUSE IN MURFREESBORO, is referred to the Committee on Appropriations.

By Representatives H. Hunter, Bowman, Hensley, Justus, and Kahl:

H.B. 208, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PAROLE COMMISSION TO REQUIRE PAROLEES TO CONTINUE PURSUING GENERAL EDUCATION DEVELOPMENT DEGREES AS A CONDITION OF PAROLE, is referred to the Committee on Judiciary I.

By Representatives Jones, Buchanan, Gottovi, Luebke, and Warner:

H.B. 209, A BILL TO BE ENTITLED AN ACT TO LIMIT CAMPAIGN CONTRIBUTIONS MADE BY A CANDIDATE'S RELATIVES, is referred to the Committee on Judiciary III.

By Representatives Beard, Bowman, Buchanan, Justus, Kahl, and Warner:

H.B. 210, A BILL TO BE ENTITLED AN ACT TO DENY ELIGIBILITY FOR OR REVOKE THE DRIVERS LICENSE OF A DELINQUENT MINOR FOR ONE YEAR FOR ALCOHOL, DRUG, OR FIREARMS VIOLATIONS, is referred to the Committee on Judiciary II.

By Representatives Oldham, Esposito, Gray, Kennedy, and Rhodes:

H.B. 211, A BILL TO BE ENTITLED AN ACT TO ALLOW DEMOLITION OF DWELLINGS UNDER G.S. 160A-443 FOLLOWING AN ORDER OF THE PUBLIC OFFICER, is referred to the Committee on Commerce.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 178, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE TOWN OF MADISON FROM ARTICLE 8 OF CHAPTER 143 OF THE NORTH CAROLINA GENERAL STATUTES FOR THE PURPOSE OF EXTENDING WATER AND SEWER LINES, is read the first time and referred to the Committee on Local and Regional Government I.

CALENDAR

Action is taken on the following:

H.B. 63, A BILL TO BE ENTITLED AN ACT TO ALLOW BURKE, RANDOLPH AND SAMPSON COUNTIES TO NAME PRIVATE ROADS.

The bill, as amended, passes its third reading, by electronic vote (103-0), and is ordered engrossed and sent to the Senate.

On motion of Representative Jack Hunt, seconded by Representative Gray, the House adjourns at 3:14 p.m. to reconvene March 6 at 3:00 p.m.

TWENTY-FIRST DAY**HOUSE OF REPRESENTATIVES**

Wednesday, March 6, 1991

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments, and Calendar reports the Journal of March 5 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Gray, Lutz, Privette, and Wood for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

S.B. 50, A BILL TO BE ENTITLED AN ACT TO APPOINT A PERSON TO FILL A VACANCY ON THE STATE BOARD OF TRANSPORTATION UPON THE RECOMMENDATION OF THE PRESIDENT OF THE SENATE, with a favorable report.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Church for the Permanent Subcommittee on Highways of the Standing Committee on Transportation, with approval of the standing committee chairman for report to be made directly to the floor:

H.B. 111, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE MUNICIPAL PARTICIPATION IN IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM, with a favorable report.

SUBCOMMITTEE REFERRALS

Representative Jeralds, Chairman for the Standing Committee on Human Resources, refers **H.B. 168, A BILL TO BE ENTITLED AN ACT TO AMEND THE HOME HEALTH LICENSURE ACT**, to the Permanent Subcommittee on Health and Mental Health.

H.B. 183, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO CONDUCT VARIOUS HEALTH-RELATED PROJECTS, to the Permanent Subcommittee on Health and Mental Health.

H.B. 204, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SOCIAL SERVICES COMMISSION TO ADOPT RULES

PERTAINING TO THE EDUCATION REQUIREMENTS FOR DOMICILIARY HOMES, to the Permanent Subcommittee on Aging.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Gist, Bowman, and Warner:

H.J.R. 212, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY AT GREENSBORO AND URGING THE GOVERNOR TO ISSUE A PROCLAMATION RECOGNIZING THE UNIVERSITY'S CENTENNIAL, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Sam Hunt, Bowman, N. J. Crawford, Fletcher, Greenwood, Kerr, Loflin, Luebke, Privette, Redwine, and Warner:

H.B. 213, A BILL TO BE ENTITLED AN ACT TO REGULATE THE OPERATION OF SELF-SERVICE GASOLINE PUMPS, is referred to the Committee on Commerce.

By Representative Bowman:

H.B. 214, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTE THAT AUTHORIZES A PROCESSING FEE FOR BAD CHECKS TO PERMIT THE FEE TO BE BASED ON A PERCENTAGE OF THE AMOUNT ON THE FACE OF THE CHECK, is referred to the Committee on Judiciary I.

By Representatives Beard, Hurley, Jeralds, McAllister, and Warner:

H.B. 215, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATUTES GOVERNING THE CUMBERLAND MEMORIAL AUDITORIUM COMMISSION, is referred to the Committee on Local and Regional Government I.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 119, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE ACT REQUIRING THAT HEADLIGHTS BE ILLUMINATED WHEN WINDSHIELD WIPERS ARE ON TO MAKE THAT VEHICLE MORE DISCERNIBLE DURING PERIODS OF LIMITED VISIBILITY, is read the first time and referred to the Committee on Judiciary II.

CALENDAR

Action is taken on the following:

H.B. 12, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED TO DETERMINE CERTAIN TAXABLE INCOME AND TAX EXEMPTIONS.

Representative Kimsey moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Finance. This motion fails.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowman, Brawley, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Cunningham, Dawkins, DeVane, Dial, Diamont, Easterling, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gardner, Gist, Gottovi, Green, Greenwood, Hackney, Hardaway, Hasty, Hensley, Hightower, Holt, Jack Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Kerr, Lilley, Lineberry, Luebke, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Ramsey, Redwine, Rhodes, Robinson, Rogers, Smith, Stamey, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Withrow, and Woodard - 85.

Voting in the negative: Representatives Balmer, Barbee, Bowie, Brown, Creech, Culp, Decker, Dickson, Dockham, Esposito, Gamble, Grady, Grimmer, Hege, Holmes, Howard, Huffman, Justus, Kimsey, Lewis, Ligon, Loflin, McAllister, Mavretic, Rhyne, Russell, and Wilson - 27.

Excused absences: Representatives Gray, Lutz, Privette, Stewart, and Wood - 5.

H.B. 68, A BILL TO BE ENTITLED AN ACT TO MAKE THE UNIFORM MANAGEMENT OF INSTITUTIONAL FUNDS ACT APPLICABLE TO COMMUNITY FOUNDATION ENDOWMENT FUNDS ADMINISTERED BY BANKS OR TRUST COMPANIES, passes its second reading, by electronic vote (103-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 32, A BILL TO BE ENTITLED AN ACT TO REENACT AN ACT WHICH EXPIRED JANUARY 1, 1991, WHICH SIMPLIFIED THE REQUIREMENTS FOR ELECTION DAY VOTER TRANSFERS, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 78, A BILL TO BE ENTITLED AN ACT TO CLARIFY FUNERAL BENEFITS PROVIDED BY ALL BURIAL ASSOCIATIONS OPERATING IN NORTH CAROLINA.

On motion of Representative Mercer, consideration of the bill is postponed until March 7.

On motion of Representative Jack Hunt, seconded by Representative Fitch, the House adjourns, by electronic vote (103-0), at 4:10 p.m. in memory of Harvey Reid, Jr., basketball coach at Wilson Fike High

School, who died Tuesday, March 5, to reconvene March 7 at 1:30 p.m.

TWENTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, March 7, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments, and Calendar reports the Journal of March 6 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brubaker, Chapin, Hasty, Lutz, Privette, and Stewart for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Dawkins for the Committee on Judiciary II:

H.B. 117, A BILL TO BE ENTITLED AN ACT TO INCREASE FINES IN G.S. 113-135 FOR VIOLATION OF RULES ADOPTED BY THE MARINE FISHERIES COMMISSION OR THE WILDLIFE RESOURCES COMMISSION, AS APPROPRIATE, with a favorable report.

H.B. 126, A BILL TO BE ENTITLED AN ACT TO EXTEND TO AIRPORT AUTHORITIES THE AUTHORITY TO PURCHASE PROPERTY SUBJECT TO A PURCHASE MONEY SECURITY INTEREST, with a favorable report.

H.B. 175, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE, CLARIFY, AND IMPROVE THE STATUTES RELATING TO RAILROAD/MOTOR VEHICLE SAFETY, with an unfavorable report as to bill, favorable as to committee substitute bill.

The committee substitute bill is placed on the Calendar for March 12. The original bill is placed on the Unfavorable Calendar.

Representative Barnes for the Standing Committee on Education submits the following report of the Permanent Subcommittee on University Education and Affairs.

March 7, 1991

TO: Rep. Anne Barnes, Chairman
EDUCATION Committee

FROM: Rep. Alex Warner, Chairman
EDUCATION/University Education & Affairs

RE: Subcommittee Report of Qualified Nominees
for House Selection to the University of
North Carolina Board of Governors

Chairman Barnes, listed below by category are the candidates declared to be legally qualified as "recommended nominees" for consideration of House members in the forthcoming election to the University Board of Governors pursuant to House Resolution 107.

I certify that these candidates have been interviewed thoroughly and are willing to serve if elected.

Minority Race Category (Two to be Selected)

Mauvice Brett
Barbara Wills-Duncan
Ruby Jones
Ben Ruffin

Female Category (Two to be Selected)

Betty McCain
Priscilla Taylor

At-large Category (Four to be Selected)

Clyde Auman
Charles Evans
Alex Hall
H.D. Reaves
Joseph Stallings
S. B. Tanner
Pat Taylor
John Yorke

On motion of Representative Barnes, the report is placed on the Calendar for immediate consideration.

CALENDAR

Action is taken on the following:

**ELECTION OF MEMBERS TO
THE BOARD OF GOVERNORS
OF THE UNIVERSITY OF NORTH CAROLINA**

Representative Luebke requests that he be excused from voting on the UNC Board of Governors under Rule 24.1A and this request is granted.

Pursuant to **H.R. 107** the following persons are elected by a call of the roll of the House for a four year term to the Board of Governors of the University of North Carolina:

In the Minority race category: Barbara Wills-Duncan and Ben Ruffin are elected.

In the Women's Category: Betty McCain and Priscilla Taylor are elected.

In the At-Large-Category: Charles Evans, Alex Hall and Pat Taylor are elected. In a run-off with S. B. Tanner, Joseph Stallings is elected.

The Senate is notified of this action by Special Message.

OATH OF OFFICE

Following the resignation of Representative Roy Cooper, Edward McGee, having appeared with proper certification, takes the following oath of office administered by Speaker Blue.

"I, Edward McGee, do solemnly swear that I will support the Constitution and laws of the United States; and,

"I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and,

"I do solemnly swear or affirm that I will faithfully discharge my duties as a Member of the 1991 House of Representatives of the General Assembly of the State of North Carolina, to the best of my skill and ability, so help me, God."

The Speaker requests Representatives Wicker and Fitch to escort Representative McGee to his Legislative seat No. 47.

Representative McGee is appointed to the following committees: Appropriations - Subcommittee on Justice and Public Safety; Environment - Subcommittee on Solid Waste; Ethics; Judiciary III; Transportation - Subcommittee on Highways.

ADDENDA TO COMMITTEE ASSIGNMENTS

Speaker Blue announces the following committee changes:

JUDICIARY I: Add Representative Diamont. Add Representative Rhyne as Vice Chairman.

HUMAN RESOURCES: Subcommittee on Aging, remove Representative Lewis.

PUBLIC UTILITIES: Add Representative Ramsey as Vice Chairman.

TRANSPORTATION: Subcommittee on Airports, Railways and Waterways, add Representative Lewis.

COMMITTEE ASSIGNMENTS

The following standing committee assignments are made by the Speaker:

CONGRESSIONAL REDISTRICTING: Representatives Ed Bowen, Toby Fitch and Sam Hunt, Co-Chairmen; Representatives Karen Gottovi, Mickey Michaux, David Redwine, David Flaherty, and Larry Justus, Vice Chairmen; Representatives Barnes, Barnhill, Brown, Buchanan, N. J. Crawford, Dawkins, Decker, Diamont, Gardner, Hardaway, Hasty, H. Hunter, Jones, McLaughlin, Oldham, Privette, Russell, Stamey, Warner, and Wilson.

LEGISLATIVE AND LOCAL REDISTRICTING: Representatives Ed Bowen, Toby Fitch, and Sam Hunt, Co-Chairmen; Representatives Joe Hackney, Luther Jeralds, Martin Nesbitt, Harold Brubaker, and Frank Rhodes, Vice Chairmen; Representatives Albertson, Black, Brawley, Cunningham, DeVane, Dial, Ethridge, Gist, Green, Grimmer, Hege, Hensley, Holmes, Huffman, Jack Hunt, Judy Hunt, Justus, Kennedy, Loflin, Payne, Ramsey, Robinson, Rogers, Stamey, Wainwright, and Wood.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 13, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE FRANCHISE TAX INITIAL RETURN AND TO INCREASE THE MINIMUM FRANCHISE TAX, with an unfavorable report as to bill, favorable as to committee substitute bill.

The committee substitute bill is placed on the Calendar for March 12. The original bill is placed on the Unfavorable Calendar.

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

H.J.R. 212, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY AT GREENSBORO AND URGING THE GOVERNOR TO ISSUE A PROCLAMATION RECOGNIZING THE UNIVERSITY'S CENTENNIAL, with a favorable report.

On motion of Representative Jack Hunt, the rules are suspended and the resolution is placed on today's Calendar.

By Representative Gist for the Committee on Local and Regional Government I:

H.B. 157, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO WITH RESPECT TO

FAIR HOUSING, with an unfavorable report as to bill, favorable as to committee substitute bill.

The committee substitute bill is placed on the Calendar for March 12. The original bill is placed on the Unfavorable Calendar.

S.B. 46, A BILL TO BE ENTITLED AN ACT CONCERNING DISPOSITION OF PROPERTY FOR LOCAL DEVELOPMENT IN CATAWBA COUNTY, with an unfavorable report as to bill, favorable as to House committee substitute bill.

The House committee substitute bill is placed on the Calendar for March 12. The original bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

S.J.R. 208, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY AT GREENSBORO AND URGING THE GOVERNOR TO ISSUE A PROCLAMATION RECOGNIZING THE UNIVERSITY'S CENTENNIAL.

On motion of Representative Jack Hunt, the rules are suspended and the resolution is placed on the Calendar.

CALENDAR (continued)

REPRESENTATIVE COLTON, SPEAKER PRO TEMPORE, PRESIDING.

S.J.R. 208, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY AT GREENSBORO AND URGING THE GOVERNOR TO ISSUE A PROCLAMATION RECOGNIZING THE UNIVERSITY'S CENTENNIAL.

The resolution passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Lineberry, Bowie, Bowman, Culp, Decker, Gist, Jarrell, Jeffus, and Wood:

H.B. 216, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONSTRUCT THE PIEDMONT AGRICULTURAL MARKETING AND PROCESSING CENTER IN GUILFORD COUNTY, is referred to the Committee on Appropriations.

By Representatives Gardner, Decker, Justus, and Russell:

H.B. 217, A BILL TO BE ENTITLED AN ACT TO PUNISH AS A FELONY AN ASSAULT COMMITTED WITH INTENT TO KILL

OR INTENT TO INFLICT EXTREMELY SERIOUS INJURY AND AN ASSAULT INFLICTING EXTREMELY SERIOUS INJURY, is referred to the Committee on Judiciary II.

By Representative Jeralds:

H.B. 218, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE COMMUNICABLE DISEASE LAW, is referred to the Committee on Human Resources.

By Representatives Jeralds and Bowman:

H.B. 219, A BILL TO BE ENTITLED AN ACT TO REQUIRE A NEW PERMIT FOR RE-OPENED FOOD AND LODGING ESTABLISHMENTS, is referred to the Committee on Human Resources.

By Representative Jeralds:

H.B. 220, A BILL TO BE ENTITLED AN ACT TO INCREASE MEDICAL EXAMINER'S FEES TO MEET INCREASED COSTS AND TO ASSESS THE FEES AGAINST THE COUNTY WHERE THE DEATH OR FATAL INJURY OCCURRED IF THE DECEASED IS A RESIDENT OF THAT COUNTY, is referred to the Committee on Human Resources.

By Representatives Stewart and Wicker:

H.B. 221, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO LOAN HARNETT COUNTY FUNDS FROM THE STATE LITERARY FUND, is referred to the Committee on Appropriations.

By Representatives Barnes and Justus:

H.B. 222, A BILL TO BE ENTITLED AN ACT TO MAKE THE PROGRAMS OF THE UNIVERSITY OF NORTH CAROLINA ACCESSIBLE TO HANDICAPPED PERSONS, is referred to the Committee on Education.

By Representatives Thompson, Chapin, and James:

H.B. 223, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WASHINGTON COUNTY TO USE ALL THE REMEDIES THAT ARE AVAILABLE FOR THE COLLECTION OF DELINQUENT AD VALOREM TAXES AS REMEDIES FOR THE COLLECTION OF SOLID WASTE FEES, is referred to the Committee on Local and Regional Government II.

By Representatives Dawkins and Hensley:

H.B. 224, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN APPEAL FOR A TRIAL DE NOVO MAY BE WITHDRAWN AFTER THE CALENDARING OF THE CASE UPON CONSENT OF THE COURT AND THE ATTACHMENT OF COURT COSTS, is referred to the Committee on Judiciary II.

By Representatives Thompson and James:

H.B. 225, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DARE COUNTY TO INCREASE ITS OCCUPANCY TAX, LEVY A

RESTAURANT TAX, AND CREATE A TOURISM BOARD TO PROMOTE TOURISM IN DARE COUNTY, is referred to the Committee on Finance.

CALENDAR (continued)

H.B. 12, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED TO DETERMINE CERTAIN TAXABLE INCOME AND TAX EXEMPTIONS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Barnes, Barnhill, Beard, Black, Bowman, Brawley, Buchanan, J. W. Crawford, N. J. Crawford, Cunningham, Dawkins, DeVane, Dial, Diamont, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gardner, Gottovi, Green, Hackney, Hardaway, Hensley, Hightower, Holt, Jack Hunt, Judy Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Kerr, Lilley, Lineberry, McAllister, McLaughlin, Mercer, Michaux, Miller, Nesbitt, Oldham, Payne, Rhodes, Rogers, Smith, Stamey, Thompson, Wicker, Wilmoth, and Withrow - 63.

Voting in the negative: Representatives Balmer, Barbee, Bowie, Brown, Church, Creech, Culp, Decker, Dickson, Dockham, Esposito, Gamble, Gray, Grimmer, Hege, Howard, Huffman, Justus, Kimsey, Lewis, Ligon, Loflin, Mavretic, Morgan, Pope, Rhyne, Russell, Wilson, Wood, and Woodard - 30.

Excused absences: Representatives Beall, Brubaker, Chapin, Hasty, Sam Hunt, Lutz, Privette, and Stewart - 8.

H.B. 78, A BILL TO BE ENTITLED AN ACT TO CLARIFY FUNERAL BENEFITS PROVIDED BY ALL BURIAL ASSOCIATIONS OPERATING IN NORTH CAROLINA.

Representatives Hardaway and H. Hunter request that they be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (86-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 48, A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN RADIO EMERGENCY ASSOCIATED CITIZENS TEAMS (REACT) VEHICLES TO ACTIVATE AMBER LIGHTS WHILE OPERATING ON THE HIGHWAYS**, passes its second reading, by electronic vote (85-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S.B. 50, A BILL TO BE ENTITLED AN ACT TO APPOINT A PERSON TO FILL A VACANCY ON THE STATE BOARD OF

TRANSPORTATION UPON THE RECOMMENDATION OF THE PRESIDENT OF THE SENATE, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H.B. 111, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE MUNICIPAL PARTICIPATION IN IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Jack Hunt, seconded by Representative Stamey, the House adjourns at 3:38 p.m. to reconvene Monday, March 11, 1991 at 8:00 p.m.

TWENTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Monday, March 11, 1991

The House meets at 8:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Stamey for the Committee on Rules, Appointments and Calendar reports the Journal of March 7 has been examined and found correct. Upon her motion, the Journal is approved as written by electronic vote (99-0).

Leaves of absence are granted Representatives Abernethy, Beard, Grimmer, Jack Hunt, Stewart, Warner, and Withrow for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative James:

H.B. 226, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN ADDITIONAL ONE CENT LOCAL OPTION SALES TAX, ELIMINATE THE ANNUAL REIMBURSEMENTS TO LOCAL GOVERNMENTS FOR PREVIOUSLY REPEALED LOCAL TAXES, AND ELIMINATE THE ANNUAL DISTRIBUTION OF INTANGIBLES TAX REVENUE TO LOCAL GOVERNMENTS, is referred to the Committee on Finance.

By Representatives Lineberry, Bowie, Brubaker, Culp, Gist, Jarrell, Jeffus, and Wood:

H.B. 227, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE PIEDMONT TRIAD WATER AUTHORITY

FOR THE PREPARATION OF THE ENVIRONMENTAL IMPACT STATEMENT, PRELIMINARY ENGINEERING, AND LAND ACQUISITION FOR THE RANDLEMAN RESERVOIR, is referred to the Committee on Appropriations.

By Representatives DeVane and Bowman:

H.B. 228, A BILL TO BE ENTITLED AN ACT TO DELAY BY THREE MONTHS THE REQUIREMENT THAT RESIDENT INSPECTORS BE ASSIGNED TO COMMERCIAL HAZARDOUS WASTE FACILITIES, is referred to the Committee on Environment.

By Representatives Beall and Ramsey:

H.B. 229, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR COMPLETION OF THE STUDENT SERVICES COMPLEX AT HAYWOOD COMMUNITY COLLEGE, is referred to the Committee on Appropriations.

By Representative Buchanan:

H.B. 230, A BILL TO BE ENTITLED AN ACT RELATING TO THE TERMS OF EMPLOYMENT OF SCHOOL BUS DRIVERS, is referred to the Committee on Education.

By Representatives Bowman and Decker:

H.B. 231, A BILL TO BE ENTITLED AN ACT TO BAND THE SALE OR USE OF PESTICIDES CONTAINING ARSENIC COMPOUNDS, is referred to the Committee on Agriculture.

By Representatives Gamble and Bowman:

H.B. 232, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONDEMNATION OF PROPERTY TAXED AT PRESENT-USE VALUE DOES NOT TRIGGER LIABILITY FOR DEFERRED TAXES, is referred to the Committee on Finance.

By Representatives Barbee, Loflin, and Tallent:

H.B. 233, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE STANLY COUNTY AIRPORT AUTHORITY, is referred to the Committee on Local and Regional Government II.

By Representatives Grimmer, Hurley, Isenhower, and Tallent:

H.B. 234, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN ADDITIONAL ONE-HALF-CENT LOCAL OPTION SALES TAX AND TO ELIMINATE THE ANNUAL REIMBURSEMENTS TO LOCAL GOVERNMENTS FOR PREVIOUSLY REPEALED LOCAL TAXES, is referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

H.B. 117, A BILL TO BE ENTITLED AN ACT TO INCREASE FINES IN G.S. 113-135 FOR VIOLATION OF RULES ADOPTED

BY THE MARINE FISHERIES COMMISSION OR THE WILDLIFE RESOURCES COMMISSION, AS APPROPRIATE, passes its second reading, by electronic vote (102-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 126, A BILL TO BE ENTITLED AN ACT TO EXTEND TO AIRPORT AUTHORITIES THE AUTHORITY TO PURCHASE PROPERTY SUBJECT TO A PURCHASE MONEY SECURITY INTEREST.

The bill fails to pass its second reading by electronic vote (52-55).

Representative Robinson, having voted with the majority, moves that the vote by which the bill failed to pass its second reading be reconsidered. This motion carries by electronic vote (82-26).

On motion of Representative Payne, further consideration of the bill is postponed until March 14.

H.J.R. 212, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY AT GREENSBORO AND URGING THE GOVERNOR TO ISSUE A PROCLAMATION RECOGNIZING THE UNIVERSITY'S CENTENNIAL.

On motion of Representative Gist, **H.J.R. 212** is postponed indefinitely by electronic vote (103-0).

GUESTS

Representative Colton is recognized and granted permission to approach the Well of the House. She announces the arrival of a Special Guest at the door of the House.

The Speaker directs the admittance of the Honorable Simeon Daniel, Premier and Minister of Finance of the West Indies Island of Nevis.

Premier Daniel is escorted to the Well of the House by Representatives Kennedy, Wicker, and Gamble and is introduced by Representative Colton. Premier Daniel makes brief statement regarding the opportunities for investments available on the Island of Nevis.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

S.J.R. 121, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JUDGE WILLIAM SHAKESPEARE "SANDY" HARRIS JR., FORMER MEMBER OF THE GENERAL ASSEMBLY.

On motion of Representative Holt, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 50, AN ACT TO APPOINT A PERSON TO FILL A VACANCY ON THE STATE BOARD OF TRANSPORTATION UPON THE RECOMMENDATION OF THE PRESIDENT OF THE SENATE. (CHAPTER 3)

H.B. 76, AN ACT TO AMEND THE CITY OF GREENSBORO CHARTER REGARDING INITIATIVE ELECTIONS, REWARDS, AND SETTLEMENT OF CLAIMS. (CHAPTER 4)

H.B. 85, AN ACT TO AUTHORIZE CURRITUCK COUNTY TO ESTABLISH NOISE DISTRICTS AND TO REGULATE NOISE WITHIN THOSE DISTRICTS. (CHAPTER 5)

H.B. 88, AN ACT TO EXEMPT THE CITY OF LAURINBURG FROM CERTAIN ZONING NOTICE REQUIREMENTS. (CHAPTER 6)

S.J.R. 208, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY AT GREENSBORO AND URGING THE GOVERNOR TO ISSUE A PROCLAMATION RECOGNIZING THE UNIVERSITY'S CENTENNIAL. (RESOLUTION 5)

On motion of Representative Stamey, seconded by Representative Hackney, the House adjourns at 9:14 p.m. to reconvene March 12 at 3:00 p.m.

TWENTY-FOURTH DAY

HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Stamey for the Committee on Rules, Appointments and Calendar reports the Journal of March 11 has been examined and found correct. Upon her motion, the Journal is approved as written.

Leaves of absence are granted Representatives Grimmer, Jack Hunt, Miller, Stewart, and Withrow for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lutz for the Committee on Local and Regional Government II:

H.B. 156, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM TO PASS AN ORDINANCE PROHIBITING THE POSSESSION OF MALT BEVERAGES OR UNFORTIFIED WINE ON PUBLIC PROPERTY, with a favorable report.

H.B. 166, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF A PORTION OF STATE ROAD 1401 IN CRAVEN COUNTY, with a favorable report.

H.B. 185, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCOPE OF THE GASTON COUNTY OCCUPANCY TAX, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H.B. 193, A BILL TO BE ENTITLED AN ACT TO ALLOW CURRITUCK COUNTY TO ESTABLISH A SPECIAL LEASH LAW DISTRICT, APPLY A LEASH LAW WITHIN THAT DISTRICT, AND LEVY A TAX IN THAT DISTRICT FOR ENFORCEMENT OF THE LEASH LAW, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H.B. 194, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ELIZABETH CITY-PASQUOTANK COUNTY AIRPORT AUTHORITY TO ENTER INTO A LEASE WITH A FIXED BASE OPERATOR, with a favorable report.

H.B. 223, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WASHINGTON COUNTY TO USE ALL THE REMEDIES THAT ARE AVAILABLE FOR THE COLLECTION OF DELINQUENT AD VALOREM TAXES AS REMEDIES FOR THE COLLECTION OF SOLID WASTE FEES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representative Kennedy for the Committee on Judiciary I:

H.B. 34, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATIONS OF THE DEBT COLLECTION PRACTICES ACTS, with a favorable report, as amended.

SUBCOMMITTEE REFERRALS

Representative DeVane, Chairman for the Standing Committee on Environment, refers:

H.B. 228, A BILL TO BE ENTITLED AN ACT TO DELAY BY THREE MONTHS THE REQUIREMENT THAT RESIDENT INSPECTORS BE ASSIGNED TO COMMERCIAL HAZARDOUS WASTE FACILITIES, to the Permanent Subcommittee on Hazardous Waste.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives McLaughlin, Black, Easterling, and Foster:

H.B. 235, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING LAW ENFORCEMENT OFFICER DISABILITY RETIREMENT, is referred to the Committee on Pensions and Retirement.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 43**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AUTOMATIC CIVIL COMMITMENT OF A DEFENDANT CHARGED WITH A CRIME AND FOUND NOT GUILTY BY REASON OF INSANITY, TO SHIFT THE BURDEN OF PROOF TO THE DEFENDANT AT SUBSEQUENT HEARINGS ON RELEASE, AND TO MAKE OTHER CHANGES IN RELATED PROCEDURES, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 109**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROHIBITION AGAINST DISCLOSING TAX INFORMATION, TO MODIFY THE PROHIBITION TO PERMIT THE EXCHANGE OF CERTAIN INFORMATION BETWEEN DESIGNATED AGENCIES, AND TO EXCLUDE INFORMATION SUBMITTED ON A MASTER TAX APPLICATION FORM FROM THE PROHIBITION, is read the first time and referred to the Committee on Judiciary II.

S.B. 131, A BILL TO BE ENTITLED AN ACT TO ALLOW THE FILING OF AN AFFIDAVIT BY THE SECRETARY OF TRANSPORTATION OR BY AN OFFICER OF THE RAILROAD TO STATE AN INTENTION TO PRESERVE A RAILROAD EASEMENT FOR FUTURE TRANSPORTATION PURPOSES AND NEGATE THE PRESUMPTION OF ABANDONMENT, is read the first time and referred to the Committee on Transportation.

S.B. 158, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE DEPARTMENT OF HUMAN RESOURCES STUDY THE CURRENT REIMBURSEMENT SYSTEM FOR DOMICILIARY HOMES AND RECOMMEND CHANGES, is read the first time and referred to the Committee on Human Resources.

S.B. 161, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE DEPARTMENT OF HUMAN RESOURCES COMPLETE STAFF REVIEW OF LOCAL NEGATIVE ACTIONS WITHIN SIXTY DAYS, is read the first time and referred to the Committee on Human Resources.

S.B. 164, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT DOMICILIARY HOME COST REPORTS BE CERTIFIED, is read the first time and referred to the Committee on Human Resources.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 157**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO WITH RESPECT TO FAIR HOUSING.

On motion of Representative McLaughlin, consideration of the bill is postponed until March 13.

House Committee Substitute for **S.B. 46**, A BILL TO BE ENTITLED AN ACT CONCERNING DISPOSITION OF PROPERTY FOR LOCAL DEVELOPMENT IN CATAWBA COUNTY, passes its second reading, by electronic vote (99-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Committee Substitute for **H.B. 13**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE FRANCHISE TAX INITIAL RETURN AND TO INCREASE THE MINIMUM FRANCHISE TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Nesbitt, Nye, Oldham, Payne, Pope, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, and Wood - 105.

Voting in the negative: Representatives Lewis, Morgan, and Woodard - 3.

Excused absences: Representatives Grimmer, Jack Hunt, Miller, Stewart, and Withrow - 5.

Committee Substitute for **H.B. 175**, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE, CLARIFY, AND IMPROVE THE STATUTES RELATING TO RAILROAD/MOTOR VEHICLE SAFETY, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.J.R. 121, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JUDGE WILLIAM SHAKESPEARE "SANDY" HARRIS JR., FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 6)

ADDENDA TO COMMITTEE ASSIGNMENTS

Speaker Blue announces the following committee changes:

JUDICIARY II: Appoints Representative Pope, Vice Chairman.

COURTS, JUSTICE, CONSTITUTIONAL AMENDMENTS AND REFERENDA: Add R. Hunter.

On motion of Representative Stamey, seconded by Representative Jarrell, the House adjourns, by electronic vote (102-2), at 3:45 p.m. to reconvene March 13 at 3:00 p.m.

TWENTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 13, 1991

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments, and Calendar reports the Journal of March 12 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (82-0).

Leaves of absence are granted Representatives Culp, Dawkins, and Miller for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Gist for the Committee on Local and Regional Government I:

H.B. 4, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SAMPSON COUNTY IS AUTHORIZED TO CONSTRUCT GAS LINES, with a favorable report.

H.B. 197, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF STALLINGS TO OPERATE A CONTRACT POST OFFICE, with a favorable report.

S.B. 178, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE TOWN OF MADISON FROM ARTICLE 8 OF CHAPTER 143 OF

THE NORTH CAROLINA GENERAL STATUTES FOR THE PURPOSE OF EXTENDING WATER AND SEWER LINES, with a favorable report.

By Representative Lutz for the Committee on Local and Regional Government II:

H.B. 172, A BILL TO BE ENTITLED AN ACT TO RESUME ELECTING THE TAX COLLECTOR AND COUNTY ACCOUNTANT OF MITCHELL COUNTY, with a favorable report.

PERMANENT SUBCOMMITTEE REPORT

The following reports from permanent subcommittees are presented:

By Representative Thompson for the Permanent Subcommittee on Solid Waste:

H.B. 135, A BILL TO BE ENTITLED AN ACT TO REQUIRE A CERTIFIED TRANSPORTER OF USED OIL TO MARK ALL ITS VEHICLES OR CONTAINERS OF USED OIL ON THE VEHICLES WHICH TRANSPORT USED OIL, referred to the Standing Committee on Environment, with a favorable recommendation.

By Representative Hightower for the Permanent Subcommittee on Hazardous Waste of the Standing Committee on Environment, with approval of the standing committee chairman for report to be made directly to the floor:

H.B. 228, A BILL TO BE ENTITLED AN ACT TO DELAY BY THREE MONTHS THE REQUIREMENT THAT RESIDENT INSPECTORS BE ASSIGNED TO COMMERCIAL HAZARDOUS WASTE FACILITIES, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Robinson, Bowman, and Gottovi:

H.B. 236, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONTINUATION OF THE WETLANDS PROTECTION STUDY COMMISSION, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Beall, Gottovi, Luebke, and Stamey:

H.B. 237, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROPERTY TAX EXEMPTION FOR INVENTORIES ENACTED IN 1985 AND 1987, TO REPEAL THE CORRESPONDING REIMBURSEMENTS TO LOCAL GOVERNMENTS THAT ARE PAID FROM THE GENERAL FUND, AND TO APPROPRIATE FUNDS TO THE COUNTIES TO HELP DEFRAY THE ADMINISTRATIVE EXPENSES OF THE TRANSITION TO A TAX ON INVENTORIES, is referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 142**, A BILL TO BE ENTITLED AN ACT TO APPLY THE REQUIREMENT THAT PLASTIC BAGS DISTRIBUTED AT RETAIL OUTLETS HAVE WRITTEN NOTIFICATION OF RECYCLABILITY ON THE BAG ONLY TO BAGS PURCHASED BY THE RETAILER AFTER 1 JANUARY 1991, is read the first time and referred to the Committee on Environment.

Committee Substitute for **S.B. 145**, A BILL TO BE ENTITLED AN ACT TO REQUIRE A COUNTY TO TRANSFER THE SCRAP TIRE FEES RECEIVED BY THE COUNTY TO ANY UNIT OF LOCAL GOVERNMENT THAT OPERATES THE SCRAP TIRE DISPOSAL SITE, WHEN A COUNTY DESIGNATES A UNIT OF LOCAL GOVERNMENT OTHER THAN THAT COUNTY TO PROVIDE A SITE FOR THE DISPOSAL OF SCRAP TIRES, is read the first time and referred to the Committee on Environment.

S.B. 148, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE PRODUCTION OF CROPS, FRUITS, VEGETABLES, ORNAMENTAL AND FLOWERING PLANTS, ETC., IS A BONA FIDE FARM PURPOSE IN THE ZONING STATUTES, is read the first time and referred to the Committee on Agriculture.

S.J.R. 153, A JOINT RESOLUTION TO COMMEMORATE THE SIXTIETH ANNIVERSARY OF THE NORTH CAROLINA BANKING COMMISSION, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 157**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO WITH RESPECT TO FAIR HOUSING.

Representative Gist offers Amendment No. 1 which is adopted by electronic vote (102-0).

The bill, as amended, passes its second reading, by electronic vote (104-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 156, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM TO PASS AN ORDINANCE PROHIBITING THE POSSESSION OF MALT BEVERAGES OR UNFORTIFIED WINE ON PUBLIC PROPERTY, passes its second reading, by electronic vote (108-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 166, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF A PORTION OF STATE ROAD 1401 IN CRAVEN COUNTY, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 194, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ELIZABETH CITY-PASQUOTANK COUNTY AIRPORT AUTHORITY TO ENTER INTO A LEASE WITH A FIXED BASE OPERATOR, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 13, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE FRANCHISE TAX INITIAL RETURN AND TO INCREASE THE MINIMUM FRANCHISE TAX,** passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowman, Brawley, Brown, Brubaker, Chapin, Church, Colton, N. J. Crawford, Cunningham, Decker, DeVane, Dial, Diamont, Dickson, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Gray, Green, Grimmer, Hackney, Hardaway, Hasty, Hensley, Hightower, Holmes, Holt, Huffman, Jack Hunt, Sam Hunt, R. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Kerr, Ligon, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Nesbitt, Nye, Oldham, Privette, Ramsey, Redwine, Rhodes, Robinson, Rogers, Russell, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, and Withrow - 92.

Voting in the negative: Representatives Bowie, Creech, Dockham, Grady, Hege, Howard, Justus, Kimsey, Lewis, Loflin, Morgan, Pope, Rhynes, Smith, Wilson, Wood, and Woodard - 17.

Excused absences: Representatives Culp, Dawkins, and Miller - 3.

H.B. 34, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATIONS OF THE DEBT COLLECTION PRACTICES ACTS.

On motion of Representative Hasty, consideration of the bill is postponed until March 14.

On motion of Representative Jack Hunt, seconded by Representative Gray, the House adjourns at 3:34 p.m. to reconvene March 14 at 3:00 p.m.

TWENTY-SIXTH DAY

HOUSE OF REPRESENTATIVES

Thursday, March 14, 1991

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments, and Calendar reports the Journal of March 13 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (91-0).

Leaves of absence are granted Representatives Brubaker, Hardaway, R. Hunter, James, Miller, and Stewart for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Gist for the Committee on Local and Regional Government I:

H.B. 215, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATUTES GOVERNING THE CUMBERLAND MEMORIAL AUDITORIUM COMMISSION, with an unfavorable report as to bill, favorable as to committee substitute bill.

The committee substitute bill is placed on the Calendar for March 19. The original bill is placed on the Unfavorable Calendar.

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 8, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE HIGHWAY TRUST FUND AND TO MAKE TECHNICAL CHANGES TO THE LAWS AFFECTED BY THE HIGHWAY TRUST FUND, with a favorable report.

H.B. 11, A BILL TO BE ENTITLED AN ACT TO APPLY THE TIRE TAX, USED TO PAY FOR THE DISPOSAL OF SCRAP TIRES, TO NEW TIRES FOR ROAD CONSTRUCTION EQUIPMENT AND OTHER NEW VEHICLE TIRES, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Hackney, the rules are suspended and the committee substitute bill is placed on the Calendar for March 20. The original bill is placed on the Unfavorable Calendar.

H.B. 61, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, with a favorable report, as amended.

SUBCOMMITTEE REFERRALS

Representative DeVane, Chairman for the Standing Committee on Environment refers:

Committee Substitute for **S.B. 142**, A BILL TO BE ENTITLED AN ACT TO APPLY THE REQUIREMENT THAT PLASTIC BAGS DISTRIBUTED AT RETAIL OUTLETS HAVE WRITTEN NOTIFICATION OF RECYCLABILITY ON THE BAG ONLY TO BAGS PURCHASED BY THE RETAILER AFTER 1 JANUARY 1991, to the Permanent Subcommittee on Solid Waste.

Committee Substitute for **S.B. 145**, A BILL TO BE ENTITLED AN ACT TO REQUIRE A COUNTY TO TRANSFER THE SCRAP TIRE FEES RECEIVED BY THE COUNTY TO ANY UNIT OF LOCAL GOVERNMENT THAT OPERATES THE SCRAP TIRE DISPOSAL SITE, WHEN A COUNTY DESIGNATES A UNIT OF LOCAL GOVERNMENT OTHER THAN THAT COUNTY TO PROVIDE A SITE FOR THE DISPOSAL OF SCRAP TIRES, to the Permanent Subcommittee on Solid Waste.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Gardner, Buchanan, Flaherty, and Fletcher:

H.B. 238, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE AIR CONDITIONING FOR TWO WARDWARDS AT BROUGHTON HOSPITAL IN MORGANTON, is referred to the Committee on Appropriations.

By Representative Hasty:

H.B. 239, A BILL TO BE ENTITLED AN ACT TO ELIMINATE STATE REIMBURSEMENTS TO LOCAL GOVERNMENTS FOR PREVIOUSLY REPEALED LOCAL TAXES, INCREASE THE STATE SALES TAX BY ONE CENT, AND EARMARK ONE-HALF OF THE PROCEEDS OF THE ADDITIONAL ONE-CENT TAX FOR LOCAL GOVERNMENTS, is referred to the Committee on Finance.

By Representatives Decker, Bowie, Bowman, Jarrell, Jeffus, Lineberry, and Wood:

H.B. 240, A BILL TO BE ENTITLED AN ACT TO ALLOW AN EXTENSION OF TIME FOR THE TOWN OF GIBSONVILLE TO FILE AN APPLICATION FOR A SALES TAX REFUND, is referred to the Committee on Finance.

By Representative Hege:

H.B. 241, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE NORTH CAROLINA EDUCATION COUNCIL, is referred to the Committee on Education.

By Representative Hege:

H.B. 242, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CREDIT CARD BANKS, TO AMEND THE RATE OF INTEREST AND FEES APPLICABLE TO CREDIT CARD ACCOUNTS, OPEN-END CREDIT, AND REVOLVING CHARGE ACCOUNTS, is referred to the Committee on Commerce.

By Representatives Howard and Dockham:

H.B. 243, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DAVIE COUNTY MAY PROHIBIT ISSUANCE OF A BUILDING PERMIT TO A DELINQUENT TAXPAYER, is referred to the Committee on Local and Regional Government I.

By Representatives Jarrell, Bowie, Decker, Gist, Jeffus, and Lineberry:

H.B. 244, A BILL TO BE ENTITLED AN ACT CONCERNING MUNICIPAL ELECTIONS IN THE CITY OF HIGH POINT, is referred to the Committee on Local and Regional Government I.

By Representatives Mercer, Bowman, and Jordan:

H.B. 245, A BILL TO BE ENTITLED AN ACT TO ALLOW A PERCENTAGE DISCOUNT TO MERCHANTS FOR COLLECTING STATE SALES AND USE TAXES, is referred to the Committee on Finance.

By Representative Michaux:

H.B. 246, A BILL TO BE ENTITLED AN ACT TO REENACT A PORTION OF SECTION 2 OF CHAPTER 467, SESSION LAWS OF 1979, ESTABLISHING THE EQUITY INVESTMENT ADVISORY COMMITTEE, WHICH WAS INADVERTENTLY REPEALED BY SECTION 5 OF CHAPTER 751, SESSION LAWS OF 1987, is referred to the Committee on State Government.

By Representatives Balmer, Barnhill, Black, Cunningham, Easterling, Foster, Grimmer, and McLaughlin:

H.B. 247, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A VOLUNTEER POLICE AUXILIARY FOR THE MECKLENBURG COUNTY POLICE DEPARTMENT, is referred to the Committee on Local and Regional Government II.

By Representative Brawley:

H.B. 248, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MOORESVILLE TO LEVY A ROOM OCCUPANCY TAX, is referred to the Committee on Finance.

By Representatives Kerr, Bowie, Hensley, and Justus:

H.B. 249, A BILL TO BE ENTITLED AN ACT TO EXTEND BY TWO YEARS THE PERIOD DURING WHICH A SMALL BUSINESS CONCERN MAY REMAIN IN AN INCUBATOR FACILITY, is referred to the Committee on Economic Expansion.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 41**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE SAVINGS INSTITUTIONS LAW, is read the first time and referred to the Committee on Commerce.

S.B. 68, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE STATE PORTS AUTHORITY FROM THE PROVISIONS OF CHAPTER 143 OF THE GENERAL STATUTES IN THE SELECTION OF ARCHITECTS, ENGINEERS, AND OTHER PROFESSIONAL CONSULTANTS WHERE THE FEE FOR SUCH SERVICES IS LESS THAN THIRTY THOUSAND DOLLARS, is read the first time and referred to the Committee on State Government.

CALENDAR

Action is taken on the following:

H.B. 4, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SAMPSON COUNTY IS AUTHORIZED TO CONSTRUCT GAS LINES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 197, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF STALLINGS TO OPERATE A CONTRACT POST OFFICE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S.B. 178, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE TOWN OF MADISON FROM ARTICLE 8 OF CHAPTER 143 OF THE NORTH CAROLINA GENERAL STATUTES FOR THE PURPOSE OF EXTENDING WATER AND SEWER LINES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H.B. 172, A BILL TO BE ENTITLED AN ACT TO RESUME ELECTING THE TAX COLLECTOR AND COUNTY ACCOUNTANT OF MITCHELL COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 126, A BILL TO BE ENTITLED AN ACT TO EXTEND TO AIRPORT AUTHORITIES THE AUTHORITY TO PURCHASE PROPERTY SUBJECT TO A PURCHASE MONEY SECURITY INTEREST.

On motion of Representative Payne, the bill is withdrawn from the Calendar and re-referred to the Committee on Finance.

H.B. 34, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATIONS OF THE DEBT COLLECTION PRACTICES ACTS.

On motion of Representative Hasty, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 228, A BILL TO BE ENTITLED AN ACT TO DELAY BY THREE MONTHS THE REQUIREMENT THAT RESIDENT INSPECTORS BE ASSIGNED TO COMMERCIAL HAZARDOUS WASTE FACILITIES, passes its second reading, by electronic vote (104-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Jack Hunt, seconded by Representative Wainwright, the House adjourns at 3:35 p.m. to reconvene Monday, March 18, 1991 at 8:00 p.m.

TWENTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Monday, March 18, 1991

The House meets at 8:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments, and Calendar reports the Journal of March 14, has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (98-0).

Leaves of absence are granted Representatives Abernethy, Beard, Holmes, Sam Hunt, Jones, Warner, and Wood for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Kennedy for the Committee on Judiciary I:

H.B. 208, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PAROLE COMMISSION TO REQUIRE PAROLEES TO CONTINUE PURSUING GENERAL EDUCATION DEVELOPMENT DEGREES AS A CONDITION OF PAROLE, with a favorable report.

By Representative R. Hunter for the Committee on Judiciary III:

H.B. 19, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE EXEMPTION FOR CERTAIN DRIVERS LICENSES FOR PUBLIC SAFETY WORKERS, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The committee substitute bill is placed on the Calendar for March 20. The original bill is placed on the Unfavorable Calendar.

H.B. 159, A BILL TO BE ENTITLED AN ACT TO PREVENT A DIMINUTION IN MAJOR MUNICIPAL SERVICES PROVIDED WITHIN SIX MONTHS PRIOR TO ANNEXATION, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The committee substitute bill is placed on the Calendar for March 20. The original bill is placed on the Unfavorable Calendar.

H.B. 180, A BILL TO BE ENTITLED AN ACT TO INCREASE TO ONE THOUSAND DOLLARS OR MORE THE AMOUNT FOR WHICH THE FOLLOWING OFFENSES ARE DESIGNATED FELONIES RATHER THAN MISDEMEANORS AND TO MAKE CONFORMING CHANGES: WORTHLESS CHECKS, LARCENY OF PROPERTY, RECEIPT OF STOLEN GOODS, FRAUDULENT ATTEMPT TO OBTAIN FOOD STAMPS, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Hege, J. W. Crawford, McAllister, Rogers, and Wilson:

H.B. 250, A BILL TO BE ENTITLED AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE STUDY COMMISSION ON THE BASIC EDUCATION PROGRAM REGARDING THE RELATIONSHIP BETWEEN THE BASIC EDUCATION PROGRAM AND THE SCHOOL IMPROVEMENT AND ACCOUNTABILITY ACT OF 1991, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Hege, J. W. Crawford, McAllister, and Rogers:

H.B. 251, A BILL TO BE ENTITLED AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE STUDY COMMISSION ON THE BASIC EDUCATION PROGRAM REGARDING SOCIAL SERVICES EQUALIZATION FUNDS, is referred to the Committee on Appropriations.

By Representatives Hege, J. W. Crawford, McAllister, Rogers, and Wilson:

H.B. 252, A BILL TO BE ENTITLED AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE STUDY COMMISSION ON THE BASIC EDUCATION PROGRAM REGARDING EQUALIZATION FUNDS FOR SCHOOLS IN LOW-WEALTH COUNTIES, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Hege, McAllister, Rogers, and Wilson:

H.B. 253, A BILL TO BE ENTITLED AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE STUDY COMMISSION ON THE BASIC EDUCATION PROGRAM

REGARDING THE DRIVERS EDUCATION PROGRAM, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Hege, Bowman, McAllister, Rogers, and Wilson:

H.B. 254, A BILL TO BE ENTITLED AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE STUDY COMMISSION ON THE BASIC EDUCATION PROGRAM REGARDING THE USE OF STATE GENERAL OBLIGATION BONDS TO FINANCE SCHOOL CONSTRUCTION, is referred to the Committee on Education.

By Representatives Hege, J. W. Crawford, McAllister, Rogers, and Wilson:

H.B. 255, A BILL TO BE ENTITLED AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE STUDY COMMISSION ON THE BASIC EDUCATION PROGRAM REGARDING SUPPLEMENTAL FUNDING FOR SMALL SCHOOL SYSTEMS, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Hurley, Beard, Bowman, Greenwood, Jeralds, McAllister, Mercer, Stewart, and Warner:

H.B. 256, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A VETERANS CEMETERY TO BE ESTABLISHED IN THE SEVENTH UNITED STATES CONGRESSIONAL DISTRICT, is referred to the Committee on Appropriations.

By Representative Kimsey:

H.B. 257, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO COMPROMISE TAXES DEFERRED PURSUANT TO USE-VALUE PROPERTY TAXATION, is referred to the Committee on Finance.

By Representatives Bowman and Woodard:

H.B. 258, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTIES TO REQUIRE PRISONERS TO WORK ON THE PUBLIC STREETS, PUBLIC HIGHWAYS, OR PUBLIC WORKS, is referred to the Committee on Judiciary I.

By Representatives Bowman, Bowie, Brubaker, N. J. Crawford, Culp, Dickson, Fletcher, Foster, Gamble, Howard, Isenhower, James, Justus, Kahl, Lewis, Ligon, McLawhorn, Rogers, Russell, Smith, Wilson, and Woodard:

H.B. 259, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTIES TO REQUIRE PRISONERS TO WORK ON THE PUBLIC STREETS, PUBLIC HIGHWAYS, OR PUBLIC WORKS, is referred to the Committee on Judiciary I.

By Representatives Rogers, Albertson, Anderson, Barnes, Beard, Bowman, Chapin, Church, J. W. Crawford, Creech, Dial, Dickson,

Fitch, Gardner, Green, Hardaway, Hasty, Holt, Judy Hunt, H. Hunter, Hurley, James, Jeralds, Jones, McAllister, McLawhorn, Mercer, Thompson, Wainwright, Warner, Wilmoth, and Woodard:

H.B. 260, A BILL TO BE ENTITLED AN ACT TO PROVIDE EQUALIZATION FUNDS FOR THE PUBLIC SCHOOLS, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Gamble:

H.B. 261, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROCEDURES EMPLOYED BY THE DEPARTMENT OF TRANSPORTATION IN CONDEMNING PROPERTY, is referred to the Committee on Judiciary III.

By Representatives Barnes and Gottovi:

H.B. 262, A BILL TO BE ENTITLED AN ACT TO CHANGE THE FORMULA USED TO APPORTION THE INCOME OF MULTI-STATE CORPORATIONS TO THIS STATE, is referred to the Committee on Finance.

By Representatives Hightower and Dawkins:

H.B. 263, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ANSON, MONTGOMERY, AND RICHMOND COUNTIES TO ENTER INTO LONG-TERM CONTRACTS FOR DISPOSAL OF SOLID WASTE, is referred to the Committee on Local and Regional Government II.

The Speaker rules this to be a public bill.

By Representative Hightower:

H.B. 264, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF THE ANSON COUNTY BOARD OF EDUCATION FROM SEVEN SINGLE-MEMBER DISTRICTS, WITH TWO AT LARGE, is referred to the Committee on Local and Regional Government II.

By Representative Hightower:

H.B. 265, A BILL TO BE ENTITLED AN ACT TO RAISE THE FORCE ACCOUNT LIMIT OF ANSON COUNTY, is referred to the Committee on Local and Regional Government II.

By Representatives Lilley, Anderson, Church, Kerr, and Wainwright:

H.J.R. 266, A JOINT RESOLUTION HONORING THE LIFE AND SERVICES OF THOMAS JACKSON WHITE, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY.

On motion of Representative Lilley, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

By Representative Brubaker:

H.B. 267, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "BUSINESS OPPORTUNITY", is referred to the Committee on Economic Expansion.

CALENDAR

Action is taken on the following:

H.B. 61, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE REVENUE LAWS AND RELATED STATUTES.

On motion of Representative Lilley, Committee Amendment No. 1 is adopted by electronic vote (98-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 104.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Beard, Holmes, Sam Hunt, Jones, Warner, and Wood - 7.

H.B. 8, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE HIGHWAY TRUST FUND AND TO MAKE TECHNICAL CHANGES TO THE LAWS AFFECTED BY THE HIGHWAY TRUST FUND, passes its second reading, by electronic vote (106-0).

Representative McLaughlin objects to the third reading, The bill remains on the Calendar.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 46, AN ACT CONCERNING DISPOSITION OF PROPERTY FOR LOCAL DEVELOPMENT IN CATAWBA COUNTY. (CHAPTER 7)

S.B. 178, AN ACT TO EXEMPT THE TOWN OF MADISON FROM ARTICLE 8 OF CHAPTER 143 OF THE NORTH CAROLINA GENERAL STATUTES FOR THE PURPOSE OF EXTENDING WATER AND SEWER LINES. (CHAPTER 8)

H.B. 63, AN ACT TO ALLOW BURKE, RANDOLPH AND SAMPSON COUNTIES TO NAME PRIVATE ROADS. (CHAPTER 9)

On motion of Representative Jack Hunt, seconded by Representative Flaherty, the House adjourns at 9:10 p.m. to reconvene March 19 at 3:00 p.m.

TWENTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, March 19, 1991

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments, and Calendar reports the Journal of March 18 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (87-0).

Leaves of absence are granted Representatives Fitch, Gist, and Holmes for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Dawkins for the Committee on Judiciary II:

H.B. 217, A BILL TO BE ENTITLED AN ACT TO PUNISH AS A FELONY AN ASSAULT COMMITTED WITH INTENT TO KILL OR INTENT TO INFLICT EXTREMELY SERIOUS INJURY AND AN ASSAULT INFLICTING EXTREMELY SERIOUS INJURY, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The committee substitute bill is placed on the Calendar for March 21. The original bill is placed on the Unfavorable Calendar.

By Representative Lutz for the Committee on Local and Regional Government II:

H.B. 233, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE STANLY COUNTY AIRPORT AUTHORITY, with a favorable report.

H.B. 247, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A VOLUNTEER POLICE AUXILIARY FOR THE MECKLENBURG COUNTY POLICE DEPARTMENT, with a favorable report.

H.B. 263, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ANSON, MONTGOMERY, AND RICHMOND COUNTIES TO ENTER INTO LONG-TERM CONTRACTS FOR DISPOSAL OF SOLID WASTE, with a favorable report.

H.B. 264, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF THE ANSON COUNTY BOARD OF EDUCATION FROM SEVEN SINGLE-MEMBER DISTRICTS, WITH TWO AT LARGE, with a favorable report.

H.B. 265, A BILL TO BE ENTITLED AN ACT TO RAISE THE FORCE ACCOUNT LIMIT OF ANSON COUNTY, with a favorable report.

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 51, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE AND REVISE STATUTES CONCERNING THE PROPERTY TAX COMMISSION, TO REPEAL UNNECESSARY DUTIES OF THE DEPARTMENT OF REVENUE, TO REPEAL THE REQUIREMENT THAT ALL OF THE EMPLOYEES IN THE DEPARTMENT OF REVENUE TAKE AN OATH, AND TO CONFORM THE OATHS REQUIRED BY THE OFFICEHOLDERS IN THE DEPARTMENT OF REVENUE TO THE OATH REQUIRED BY THE CONSTITUTION, with an unfavorable report as to bill, favorable as to committee substitute bill.

The committee substitute bill is place on the Calendar for March 21. The original bill is placed on the Unfavorable Calendar.

H.B. 119, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF PINEVILLE, with a favorable report, as amended.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Green for the Permanent Subcommittee on Aging of the Standing Committee on Human Resources, with approval of the standing committee chairman for report to be made directly to the floor:

H.B. 75, A BILL TO BE ENTITLED AN ACT REQUIRING THAT THE NORTH CAROLINA MEDICAL CARE COMMISSION AND THE SOCIAL SERVICES COMMISSION DRAFT RULES CONTAINING STATE STANDARDS FOR SPECIAL CARE UNITS IN NURSING HOMES AND REST HOMES FOR ALZHEIMER'S AND

RELATED DEMENTIA PATIENTS AND THAT THESE COMMISSIONS MAKE A REPORT TO THE STUDY COMMISSION ON AGING, with a favorable report.

H.B. 204, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SOCIAL SERVICES COMMISSION TO ADOPT RULES PERTAINING TO THE EDUCATION REQUIREMENTS FOR DOMICILIARY HOMES, with a favorable report.

SUBCOMMITTEE REFERRALS

Representatives Hackney and Miller, Chairmen for the Standing Committee on Finance, refer:

H.B. 79, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE ADMINISTRATION OF THE EXCISE TAX ON SOFT DRINKS, to the Permanent Subcommittee on State Revenue.

H.B. 184, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE PARTIAL TAX EXEMPTION FOR FOREIGN SALES CORPORATIONS AND TO MODIFY DEPARTMENT OF REVENUE REPORTING DATES IN ORDER TO PROVIDE SUFFICIENT INFORMATION FOR THE GENERAL ASSEMBLY TO DECIDE WHETHER TO RETAIN THE TAX EXEMPTION, to the Permanent Subcommittee on State Revenue.

H.B. 225, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DARE COUNTY TO INCREASE ITS OCCUPANCY TAX, LEVY A RESTAURANT TAX, AND CREATE A TOURISM BOARD TO PROMOTE TOURISM IN DARE COUNTY, to the Permanent Subcommittee on Local and Regional Government Revenue.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Easterling, Colton, Foster, Gottovi, Holt, Sam Hunt, McAllister, McLaughlin, and Russell:

H.B. 268, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE STATE MANDATED VACCINES WITHOUT CHARGE TO PHYSICIANS, is referred to the Committee on Appropriations.

By Representatives McLaughlin, Barnhill, Black, Bowman, Cunningham, Easterling, Foster, Grimmer, and Nesbitt:

H.B. 269, A BILL TO BE ENTITLED AN ACT TO AMEND THE PRIVATE PROTECTIVE SERVICES ACT TO REQUIRE REGISTRATION OF PROPRIETARY UNARMED GUARDS, TWO-YEAR TERMS FOR LICENSES AND REGISTRATIONS, AND TO INCREASE FEES, is referred to the Committee on State Government.

By Representatives McLaughlin, Barnhill, Black, Cunningham, Easterling, Foster and Grimmer.

H.B. 270, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 7A-302 AND G.S. 153A-149 TO ALLOW MECKLENBURG COUNTY TO APPROPRIATE TAX FUNDS TO THE ADMINISTRATIVE OFFICE OF THE COURTS FOR A SPECIFIED PERIOD OF TIME TO SUPPORT THE CRIMINAL JUSTICE SYSTEM IN MECKLENBURG COUNTY, is referred to the Committee on Judiciary II.

By Representatives Barnhill, Balmer, Black, Cunningham, Easterling, Foster, Grimmer, and McLaughlin:

H.B. 271, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR MEDICAL EXAMINER SERVICES IN MECKLENBURG COUNTY, is referred to the Committee on Appropriations.

By Representatives H. Hunter, Ethridge, and Redwine:

H.B. 272, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA HOUSING TRUST FUND, is referred to the Committee on Appropriations.

By Representative Justus:

H.B. 273, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATION OF HENDERSON COUNTY'S OCCUPANCY TAX LAW, is referred to the Committee on Local and Regional Government I.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 136**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE LIMITED LIABILITY PROTECTION UNDER THE TRAILS SYSTEM TO LANDOWNERS, UNITS OF GOVERNMENT, TRAIL DEVELOPERS, AND TRAIL MAINTAINERS, is read the first time and referred to the Committee on Judiciary III.

Committee Substitute for **S.B. 177**, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 10 OF CHAPTER 65 TO ALLOW ACCESS TO AND MAINTENANCE OF PRIVATE GRAVES AND ABANDONED PUBLIC CEMETERIES, is read the first time and referred to the Committee on Judiciary III.

S.B. 223, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE MONTGOMERY COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN PROPERTY, is read the first time and referred to the Committee on Local and Regional Government I.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.J.R. 266, A JOINT RESOLUTION HONORING THE LIFE AND SERVICES OF THOMAS JACKSON WHITE, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 7)

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 215**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATUTES GOVERNING THE CUMBERLAND MEMORIAL AUDITORIUM COMMISSION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 61, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE REVENUE LAWS AND RELATED STATUTES.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 110.

Voting in the negative: None.

Excused absences: Representatives Fitch, Gist, and Holmes - 3.

H.B. 8, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE HIGHWAY TRUST FUND AND TO MAKE TECHNICAL CHANGES TO THE LAWS AFFECTED BY THE HIGHWAY TRUST FUND, passes its third reading, by electronic vote (111-0), and is ordered sent to the Senate.

H.B. 208, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PAROLE COMMISSION TO REQUIRE PAROLEES TO CONTINUE PURSUING GENERAL EDUCATION DEVELOPMENT DEGREES AS A CONDITION OF PAROLE, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 180, A BILL TO BE ENTITLED AN ACT TO INCREASE TO ONE THOUSAND DOLLARS OR MORE THE AMOUNT FOR WHICH THE FOLLOWING OFFENSES ARE DESIGNATED

FELONIES RATHER THAN MISDEMEANORS AND TO MAKE CONFORMING CHANGES: WORTHLESS CHECKS, LARCENY OF PROPERTY, RECEIPT OF STOLEN GOODS, FRAUDULENT ATTEMPT TO OBTAIN FOOD STAMPS, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

SUBCOMMITTEE REFERRALS

Representative Jeralds, Chairman for the Standing Committee on Human Resources, refers:

H.B. 218, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE COMMUNICABLE DISEASE LAW, to the Permanent Subcommittee on Health and Mental Health.

H.B. 219, A BILL TO BE ENTITLED AN ACT TO REQUIRE A NEW PERMIT FOR RE-OPENED FOOD AND LODGING ESTABLISHMENTS, to the Permanent Subcommittee on Health and Mental Health.

H.B. 220, A BILL TO BE ENTITLED AN ACT TO INCREASE MEDICAL EXAMINER'S FEES TO MEET INCREASED COSTS AND TO ASSESS THE FEES AGAINST THE COUNTY WHERE THE DEATH OR FATAL INJURY OCCURRED IF THE DECEASED IS A RESIDENT OF THAT COUNTY, to the Permanent Subcommittee on Health and Mental Health.

S.B. 158, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE DEPARTMENT OF HUMAN RESOURCES STUDY THE CURRENT REIMBURSEMENT SYSTEM FOR DOMICILIARY HOMES AND RECOMMEND CHANGES, to the Permanent Subcommittee on Aging.

S.B. 161, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE DEPARTMENT OF HUMAN RESOURCES COMPLETE STAFF REVIEW OF LOCAL NEGATIVE ACTIONS WITHIN SIXTY DAYS, to the Permanent Subcommittee on Aging.

S.B. 164, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT DOMICILIARY HOME COST REPORTS BE CERTIFIED, to the Permanent Subcommittee on Aging.

On motion of Representative Jack Hunt, seconded by Representative Michaux, the House adjourns at 3:26 p.m. to reconvene March 20 at 3:00 p.m.

TWENTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 20, 1991

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments, and Calendar reports the Journal of March 19 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (99-0).

Leaves of absence are granted Representatives Hardaway, Holmes, Ligon, Miller, Nye, and Wicker for today.

PRESENTATION TO SPEAKER

Representative Hensley is recognized and permission is granted the freshmen members of the House of Representatives to approach the Well of the House. Speaker Blue is presented a chair by the freshmen members.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 20, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A MORE EFFICIENT AND EQUITABLE PROCEDURE FOR ASSESSING AND COLLECTING LOCAL AD VALOREM PROPERTY TAXES ON CERTAIN MOTOR VEHICLES, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Hackney, the rules are suspended and the committee substitute bill is placed on the Calendar for March 26. The original bill is placed on the Unfavorable Calendar.

By Representative Stamey for the Committee on Transportation:

H.B. 64, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE AND SIMPLIFY THE SPECIAL LICENSE PLATE LAWS, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Stamey, Committee Amendment No. 1 is adopted by electronic vote (101-0).

The bill is ordered engrossed and re-referred to the Committee on Finance.

By Representative Gist for the Committee on Local and Regional Government I:

H.B. 243, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DAVIE COUNTY MAY PROHIBIT ISSUANCE OF A

BUILDING PERMIT TO A DELINQUENT TAXPAYER, with a favorable report.

H.B. 244, A BILL TO BE ENTITLED AN ACT CONCERNING MUNICIPAL ELECTIONS IN THE CITY OF HIGH POINT, with a favorable report, as amended.

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

S.J.R. 118, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENT OF WILLIAM T. GRAHAM AS COMMISSIONER OF BANKS, with a favorable report, as amended.

S.B. 144, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE TO APRIL 1, 1991, FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO MAKE ITS FIRST REPORT ASSESSING THE RECYCLING INDUSTRY AND MARKETS FOR RECYCLABLE MATERIALS IN THE STATE, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Jack Hunt:

H.B. 274, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, is referred to the Committee on Rules, Appointments and Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 157**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAWS GOVERNING ADMINISTRATIVE HEARINGS, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 90**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A NINETY-DAY PERIOD OF TIME FOR THE RENEWAL OF DRIVERS LICENSES, TO WAIVE THE CIVIL PENALTY FOR LAPSED LIABILITY INSURANCE, AND TO WAIVE THE SERVICE CHARGE FOR REREGISTRATION OF A VEHICLE OF MILITARY PERSONNEL DEPLOYED IN SUPPORT OF "OPERATION DESERT SHIELD" OR "OPERATION DESERT STORM", is read the first time and referred to the Committee on Judiciary I.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 24, AN ACT TO CONSOLIDATE THE LAWS CONCERNING REPORTS BY THE DEPARTMENT OF REVENUE. (CHAPTER 10)

H.B. 50, AN ACT TO MAKE TECHNICAL CHANGES TO THE PROPERTY TAX STATUTES. (CHAPTER 11)

CALENDAR

Action is taken on the following:

H.B. 119, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF PINEVILLE.

On motion of Representative Balmer, Committee Amendment No. I is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Decker, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hasty, Hege, Hensley, Hightower, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Morgan, Oldham, Payne, Pope, Privette, Ramsey, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 104.

Voting in the negative: None.

Excused absences: Representatives Dawkins, Hardaway, Holmes, Ligon, Miller, Nye, and Wicker - 7.

H.B. 233, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE STANLY COUNTY AIRPORT AUTHORITY.

On motion of Representative Barbee, consideration of the bill is postponed until March 25.

SPECIAL GUESTS

Representative Payne is recognized and permission is granted for Representative Payne, Redwine, and Gottovi to escort special guests to the Well of the House.

Representative Gottovi introduces Stacie Davis, Princess of the North Carolina Azalea Festival and Chelli Donahue and Melissa Ricks, belles of the Festival. Miss Davis extends invitation to the House members to attend the Festival in Wilmington April 11 through the 14th.

CALENDAR (continued)

H.B. 247, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A VOLUNTEER POLICE AUXILIARY FOR THE MECKLENBURG COUNTY POLICE DEPARTMENT, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 264, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF THE ANSON COUNTY BOARD OF EDUCATION FROM SEVEN SINGLE-MEMBER DISTRICTS, WITH TWO AT LARGE.

Representative Luebke requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 265, A BILL TO BE ENTITLED AN ACT TO RAISE THE FORCE ACCOUNT LIMIT OF ANSON COUNTY, passes its second reading, by electronic vote (102-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 11, A BILL TO BE ENTITLED AN ACT TO APPLY THE TIRE TAX, USED TO PAY FOR THE DISPOSAL OF SCRAP TIRES, TO NEW TIRES FOR ROAD CONSTRUCTION EQUIPMENT AND OTHER NEW VEHICLE TIRES,** passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, DeVane, Dial, Diamont, Dickson, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hasty, Hensley, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Nesbitt, Oldham, Payne, Pope, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, and Wood - 93.

Voting in the negative: Representatives Balmer, Brubaker, Creech, Culp, Decker, Dockham, Hege, Hightower, Kimsey, McGee, Morgan, and Woodard - 12.

Excused absences: Representatives Dawkins, Hardaway, Holmes, Holt, Ligon, Miller, and Nye -7.

Committee Substitute for **H.B. 19**, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXEMPTION FOR CERTAIN DRIVERS LICENSES FOR PUBLIC SAFETY WORKERS, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 159**, A BILL TO BE ENTITLED AN ACT TO PREVENT A MUNICIPAL ORDINANCE OR POLICY DIMINISHING WATER OR SEWER SERVICES TO AN ANNEXED AREA WITHIN SIX MONTHS OF NOTICE OF INTENT TO CONSIDER ANNEXATION, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 263, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ANSON, MONTGOMERY, AND RICHMOND COUNTIES TO ENTER INTO LONG-TERM CONTRACTS FOR DISPOSAL OF SOLID WASTE, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 75, A BILL TO BE ENTITLED AN ACT REQUIRING THAT THE NORTH CAROLINA MEDICAL CARE COMMISSION AND THE SOCIAL SERVICES COMMISSION DRAFT RULES CONTAINING STATE STANDARDS FOR SPECIAL CARE UNITS IN NURSING HOMES AND REST HOMES FOR ALZHEIMER'S AND RELATED DEMENTIA PATIENTS AND THAT THESE COMMISSIONS MAKE A REPORT TO THE STUDY COMMISSION ON AGING.

Representative N. J. Crawford offers Amendment No. 1 which is adopted.

Representative Mavretic offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (101-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 204, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SOCIAL SERVICES COMMISSION TO ADOPT RULES PERTAINING TO THE EDUCATION REQUIREMENTS FOR DOMICILIARY HOMES.

On motion of Representative Colton, consideration of the bill is postponed until March 21.

On motion of Representative Jack Hunt, seconded by Representative Bowman, the House adjourns at 4:33 p.m. to reconvene March 21 at 3:00 p.m.

THIRTIETH DAY

HOUSE OF REPRESENTATIVES

Thursday, March 21, 1991

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of March 20 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Abernethy, Albertson, Beard, Bowen, Brubaker, Holmes, Holt, Lutz, Stewart, and Wood for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Kennedy for the Committee on Judiciary I:

Committee Substitute for S.B. 90, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A NINETY-DAY PERIOD OF TIME FOR THE RENEWAL OF DRIVERS LICENSES, TO WAIVE THE CIVIL PENALTY FOR LAPSED LIABILITY INSURANCE, AND TO WAIVE THE SERVICE CHARGE FOR REREGISTRATION OF A VEHICLE OF MILITARY PERSONNEL DEPLOYED IN SUPPORT OF "OPERATION DESERT SHIELD" OR "OPERATION DESERT STORM", with a favorable report.

By Representative Dawkins for the Committee on Judiciary II:

S.B. 119, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE ACT REQUIRING THAT HEADLIGHTS BE ILLUMINATED WHEN WINDSHIELD WIPERS ARE ON TO MAKE THAT VEHICLE MORE DISCERNIBLE DURING PERIODS OF LIMITED VISIBILITY, with a favorable report.

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 84, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON LEGISLATION AUTHORIZING CURRITUCK COUNTY TO LEVY AN EXCISE TAX ON INSTRUMENTS CONVEYING REAL PROPERTY, with a favorable report.

H.B. 185, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCOPE OF THE GASTON COUNTY OCCUPANCY TAX, with a favorable report, as amended.

H.B. 193, A BILL TO BE ENTITLED AN ACT TO ALLOW CURRITUCK COUNTY TO ESTABLISH A SPECIAL LEASH LAW DISTRICT, APPLY A LEASH LAW WITHIN THAT DISTRICT, AND

LEVY A TAX IN THAT DISTRICT FOR ENFORCEMENT OF THE LEASH LAW, with a favorable report.

H.B. 240, A BILL TO BE ENTITLED AN ACT TO ALLOW AN EXTENSION OF TIME FOR THE TOWN OF GIBSONVILLE TO FILE AN APPLICATION FOR A SALES TAX REFUND, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H.B. 248, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MOORESVILLE TO LEVY A ROOM OCCUPANCY TAX, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Anderson, Lilly, and Wainwright:

H.B. 275, A BILL TO BE ENTITLED AN ACT TO REPEAL PAM-LICO COUNTY LOCAL MODIFICATION TO SUBDIVISION STATUTE, is referred to the Committee on Local and Regional Government II.

By Representative Jones:

H.B. 276, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ADMINISTRATION OF THE POLITICAL PARTIES FINANCING FUND, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Redwine, Brubaker, Holmes, Lilley, and Wicker:

H.B. 277, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE COMMISSIONER OF BANKS UNDER THE CONSUMER FINANCE ACT, is referred to the Committee on Commerce.

By Representative Redwine:

H.B. 278, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF LONG BEACH TO ALLOW THE TOWN TO ASSESS BENEFITED PROPERTY FOR UNDERGROUNDING OF UTILITIES, AND FOR CONSTRUCTION OF PUBLIC STREETS BY NECESSITY, is referred to the Committee on Local and Regional Government I.

By Representatives Redwine and Mercer:

H.B. 279, A BILL TO BE ENTITLED AN ACT TO PROVIDE HEALTH BENEFITS FOR HANDICAPPED DEPENDENTS OF TEACHERS AND STATE EMPLOYEES PREVIOUSLY EXCLUDED FROM COVERAGE BY THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, is referred to the Committee on Public Employees.

By Representatives Rhyne, Abernethy, Bowie, Dickson, Esposito, Gamble, Gray, Howard, Rhodes, and Wood:

H.B. 280, A BILL TO BE ENTITLED AN ACT TO ALLOW EXPENDITURE OF CONTINGENCY AND EMERGENCY FUNDS AS MATCHING FEDERAL FUNDS FOR DISASTER RELIEF AND ASSISTANCE DUE TO TORNADO DAMAGE, is referred to the Committee on Appropriations.

By Representatives Stamey and Church:

H.B. 281, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ACQUIRE PROPERTY FOR NEW RAILROAD CORRIDORS AND TO ENTER INSTALLMENT CONTRACTS FOR THE PURCHASE OF RAILROAD CORRIDORS AND OTHER RAIL PROPERTY, is referred to the Committee on Transportation.

By Representatives Stamey, Bowman, and Church:

H.B. 282, A BILL TO BE ENTITLED AN ACT TO EXTEND THE EXPIRATION DATE FOR PRIVATE CONTRACT PARTICIPATION BY THE DEPARTMENT OF TRANSPORTATION, is referred to the Committee on Transportation.

By Representative Stamey:

H.B. 283, A BILL TO BE ENTITLED AN ACT TO RAISE THE MAXIMUM FEES FOR MEDICAL EXAMINER SERVICES, is referred to the Committee on Finance.

By Representatives Hasty and Bowman:

H.J.R. 284, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE ITS STUDY OF CONSUMER PROTECTION ISSUES, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Hasty and Bowman:

H.B. 285, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE LEGISLATIVE SERVICES COMMISSION TO ESTABLISH A MEMORIAL HONORING CERTAIN VOLUNTEERS AND PUBLIC SERVICE EMPLOYEES WHO HAVE DIED IN THE PERFORMANCE OF THEIR DUTIES, is referred to the Committee on Appropriations.

By Representatives Rhyne, Cunningham, Dickson, Flaherty, Gamble, Grady, Isenhower, Kimsey, Loflin, Morgan, and Pope:

H.J.R. 286, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES RAPER JONAS, FORMER CONGRESSMAN AND "MISTER REPUBLICAN", is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Rhyne, Grady, Isenhower, Kimsey, Loflin, Morgan, Pope, and Privette:

H.B. 287, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO LIMIT THE NUMBER

OF DAYS THE GENERAL ASSEMBLY MAY REMAIN IN SESSION EACH YEAR, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Rhyne and Gamble:

H.J.R. 288, A JOINT RESOLUTION MEMORIALIZING CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO APPROVE EMERGENCY SUPPLEMENTAL APPROPRIATIONS TO THE UNEMPLOYMENT INSURANCE PROGRAM FOR THE 1991-92 FISCAL YEAR, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Rhyne:

H.B. 289, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN CONVEYANCES WHERE SEALS WERE OMITTED OR NOTARY WAS NOT QUALIFIED, CERTAIN NOTICES TO CREDITORS OF DECEDENTS WHERE THE DEADLINE FOR SUBMITTING CLAIMS WAS OMITTED, AND CERTAIN FORECLOSURE SALES, is referred to the Committee on Judiciary I.

By Representatives Grimmer, Balmer, Barnhill, Black, Cunningham, Easterling, Foster, and McLaughlin:

H.B. 290, A BILL TO BE ENTITLED AN ACT TO ALLOW NOTICE BY PUBLICATION OF HOUSING CODE ENFORCEMENT WHERE SERVICE BY CERTIFIED MAIL IS REFUSED, is referred to the Committee on Judiciary II.

By Representatives Grimmer, Barnhill, Easterling, Foster, and McLaughlin:

H.B. 291, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO LEVY A MOTOR VEHICLE TAX NOT TO EXCEED TWENTY-FIVE DOLLARS, is referred to the Committee on Finance.

By Representatives Foster, Barnhill, Black, Cunningham, Easterling, Grimmer, and McLaughlin:

H.B. 292, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE AFRO-AMERICAN CULTURAL AND SERVICE CENTER FOR THE ONGOING DEVELOPMENT OF THE CENTER, is referred to the Committee on Appropriations.

By Representatives Foster, Barnhill, Black, Bowman, Cunningham, Easterling, Gottovi, Grimmer, McLaughlin, and Wainwright:

H.B. 293, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES TO PROVIDE FUNDING TO THE COMMUNITY-BASED SICKLE CELL CENTERS, is referred to the Committee on Appropriations.

By Representatives Foster, Barnhill, Black, Cunningham, Easterling, Grimmer, and McLaughlin:

H.B. 294, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RENOVATION OF A FAMILY CRISIS

INTERVENTION HOME SPONSORED BY THE RELATIVES, INC., is referred to the Committee on Appropriations.

By Representative Jones:

H.B. 295, A BILL TO BE ENTITLED AN ACT TO LOWER LIMITS ON CAMPAIGN CONTRIBUTIONS MADE BY POLITICAL COMMITTEES, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

RE-REFERRALS

On motion of Representative Hasty, **H.B. 267**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "BUSINESS OPPORTUNITY", is withdrawn from the Committee on Economic Expansion and re-referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 72**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR APPOINTMENT OF APPELLATE JUDGES BY THE GOVERNOR SUBJECT TO THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY, TO PROVIDE FOR THE RECONFIRMATION OF SITTING JUDGES BY THE GENERAL ASSEMBLY, AND TO PROVIDE FOR TRANSITIONAL AND OTHER PROVISIONS NECESSARY TO MOVE FROM AN ELECTIVE TO AN APPOINTIVE SYSTEM, is read the first time and referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

Committee Substitute for **S.B. 128**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SYSTEMATIC REVIEW OF PROPERTY EXEMPTED OR EXCLUDED FROM PROPERTY TAXATION AND TO ALLOW PROPERTY THAT WAS ERRONEOUSLY EXEMPTED OR EXCLUDED TO BE TREATED AS DISCOVERED PROPERTY, is read the first time and referred to the Committee on Finance.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 32, AN ACT TO REENACT AN ACT WHICH EXPIRED JANUARY 1, 1991, WHICH SIMPLIFIED THE REQUIREMENTS FOR ELECTION DAY VOTER TRANSFERS. (CHAPTER 12)

CALENDAR

Action is taken on the following:

H.B. 119, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF PINEVILLE.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Anderson, Balmer, Barbee, Barnhill, Beall, Black, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Creech, Culp, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Flaherty, Fletcher, Foster, Fussell, Gardner, Gist, Gottovi, Grady, Gray, Green, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Howard, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, and Woodard - 94.

Voting in the negative: Representative Huffman.

Excused absences: Representatives Abernethy, Albertson, Beard, Bowen, Brubaker, Holmes, Holt, Lutz, Stewart, and Wood - 10.

H.B. 243, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DAVIE COUNTY MAY PROHIBIT ISSUANCE OF A BUILDING PERMIT TO A DELINQUENT TAXPAYER, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 244, A BILL TO BE ENTITLED AN ACT CONCERNING MUNICIPAL ELECTIONS IN THE CITY OF HIGH POINT.

On motion of Representative Jarrell, Committee Amendment No. 1 is adopted by electronic vote (96-0).

Representative Decker offers Perfecting Amendment No. 2.

On motion of Representative Wicker, seconded by Representative Fitch, Amendment No. 2 is tabled by electronic vote (75-29).

Representative Jarrell calls the previous question on the passage of the bill.

Representative Decker moves that the call for the previous question be postponed indefinitely.

Representative Decker withdraws the motion to postpone indefinitely the call for the previous question.

A division having been called, the bill passes its second reading by electronic vote (85-20).

Representative Decker objects to the third reading.

Representative Wicker moves that the rules be suspended in order for the bill to be read a third time.

Representative Wicker withdraws motion to suspend the rules for a third reading.

The bill remains on the Calendar.

Committee Substitute for **H.B. 11**, A BILL TO BE ENTITLED AN ACT TO APPLY THE TIRE TAX, USED TO PAY FOR THE DISPOSAL OF SCRAP TIRES, TO NEW TIRES FOR ROAD CONSTRUCTION EQUIPMENT AND OTHER NEW VEHICLE TIRES.

Representative Pope offers Amendment No. 1 which is adopted by electronic vote (92-1).

Amendment No. 1 is ruled to be material, thus constituting the first reading of the bill. The bill remains on the Calendar for its second roll call reading.

Committee Substitute for **H.B. 217**, A BILL TO BE ENTITLED AN ACT TO PUNISH AS A FELONY AN ASSAULT COMMITTED WITH INTENT TO KILL OR INTENT TO INFLICT EXTREMELY SERIOUS INJURY, passes its second reading, by electronic vote (97-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Jack Hunt, seconded by Representative Cunningham, the House adjourns, by electronic vote (91-1), at 4:00 p.m. to reconvene Monday, March 25, 1991 at 8:00 p.m.

THIRTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Monday, March 25, 1991

The House meets at 8:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments, and Calendar reports the Journal of March 21 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Beard, Esposito, Holt, Kimsey, and Warner for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 126, A BILL TO BE ENTITLED AN ACT TO EXTEND TO AIRPORT AUTHORITIES THE AUTHORITY TO PURCHASE PROPERTY SUBJECT TO A PURCHASE MONEY SECURITY

INTEREST, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The committee substitute bill is placed on the Calendar for March 27. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representative Hasty, Chairman for the Standing Committee on Economic Expansion, refers:

H.B. 5, A BILL TO BE ENTITLED AN ACT TO RAISE THE MINIMUM WAGE AND TO AUTHORIZE A TRAINING WAGE, to the Permanent Subcommittee on Small Business.

H.B. 249, A BILL TO BE ENTITLED AN ACT TO EXTEND BY TWO YEARS THE PERIOD DURING WHICH A SMALL BUSINESS CONCERN MAY REMAIN IN AN INCUBATOR FACILITY, to the Permanent Subcommittee on Small Business.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives R. Hunter, Barnes, Barnhill, J. W. Crawford, Cunningham, Kennedy, Mercer, Redwine, Smith, and Stamey:

H.B. 296, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE STATE MATERNITY HOMES, is referred to the Committee on Appropriations.

By Representatives Buchanan and Bowman:

H.B. 297, A BILL TO BE ENTITLED AN ACT TO REQUIRE A COLOR DIFFERENTIATED DRIVERS LICENSE BE ISSUED TO A PERSON CONVICTED OF AN IMPAIRED DRIVING OR CONTROLLED SUBSTANCE VIOLATION, is referred to the Committee on Judiciary II.

By Representatives Buchanan and Flaherty:

H.B. 298, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MANDATORY REVOCATION OF DRIVERS LICENSES FOR CONTROLLED SUBSTANCE CONVICTIONS AND OTHER RELATED PENALTIES, is referred to the Committee on Judiciary II.

By Representative Church:

H.B. 299, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE DESIGNATION OF TRUCK ROUTES, is referred to the Committee on Transportation.

By Representatives Mercer, Albertson, Bowen, Buchanan, Church, J. W. Crawford, Flaherty, Hightower, R. Hunter, Hurley, Nesbitt, Smith, Stewart, and Warner:

H.B. 300, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THERE SHALL BE NO INSURANCE POINTS ASSESSED

FOR SPEEDING TEN MILES OR LESS OVER THE SPEED LIMIT FOR FIRST OFFENSE IN THREE YEARS WHERE SPEED LIMIT EXCEEDS FIFTY-FIVE MILES PER HOUR, is referred to the Committee on Judiciary III.

By Representatives Beard, Bowman, Hurley, Lilley, and Warner:

H.B. 301, A BILL TO BE ENTITLED AN ACT TO AMEND THE CEMETERY ACT AND RELATED STATUTES, is referred to the Committee on Finance.

By Representatives Dickson, Gamble, and Rhyne:

H.B. 302, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA CENTER FOR APPLIED TEXTILE TECHNOLOGY, is referred to the Committee on Education.

By Representative Rhyne:

H.B. 303, A BILL TO BE ENTITLED AN ACT TO ALLOW MORE THAN ONE POSTPONEMENT OF FORECLOSURE SALES WITHIN THE NINETY-DAY POSTPONEMENT PERIOD, is referred to the Committee on Judiciary I.

By Representatives Rhyne, Bowman, and Privette:

H.B. 304, A BILL TO BE ENTITLED AN ACT TO IMPOSE A MANDATORY, MINIMUM SENTENCE FOR SELLING OR DELIVERING DRUGS IN AMOUNTS NOT SUFFICIENTLY LARGE TO VIOLATE DRUG TRAFFICKING LAWS, is referred to the Committee on Judiciary I.

By Representative Balmer:

H.B. 305, A BILL TO BE ENTITLED AN ACT TO REVISE THE ESSENTIAL ELEMENTS REQUIRED TO PROVE ARMED ROBBERY, is referred to the Committee on Judiciary II.

By Representatives Hurley, Albertson, Barbee, Bowman, Brown, Church, N. J. Crawford, DeVane, Diamont, Dockham, Flaherty, Foster, Gardner, Gottovi, Grady, Gray, Jeffus, Jeralds, Jones, Jordan, Lutz, McAllister, McLawhorn, Mercer, Privette, Redwine, Rogers, Russell, Smith, Stamey, Stewart, and Wood:

H.B. 306, A BILL TO BE ENTITLED AN ACT TO ALLOW AN ADDITIONAL 180-DAY PERIOD FOR DEPLOYED ARMED FORCES PERSONNEL TO FILE TAX RETURNS, AND TO PROVIDE FOR INTEREST TO BE PAID BY THE STATE ON REFUNDS DUE THESE PERSONNEL FROM APRIL 15 UNTIL THE REFUND IS PAID, is referred to the Committee on Finance.

By Representatives Mercer, Albertson, Bowman, J. W. Crawford, Justus, Lilley, Privette, Smith, and Wood:

H.B. 307, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING SCHOLARSHIPS FOR CHILDREN OF WAR VETERANS TO INCLUDE CHILDREN OF PERSIAN GULF

VETERANS AND TO MAKE TECHNICAL CHANGES, is referred to the Committee on Education.

By Representatives Abernethy, Dickson, Gamble, and Rhyne:

H.B. 308, A BILL TO BE ENTITLED AN ACT TO ALLOW GASTON COUNTY OR ITS MUNICIPALITIES TO CONTRACT WITH FINANCIAL INSTITUTIONS FOR RECEIPT OF PAYMENTS OF DELINQUENT PROPERTY TAXES AND INTEREST, is referred to the Committee on Local and Regional Government II.

By Representative Dawkins:

H.B. 309, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO CHAPTER 84 OF THE GENERAL STATUTES RELATING TO OUT-OF-STATE ATTORNEYS, PREPAID LEGAL SERVICES, DEPOSITS OF THE STATE BAR, AND BOARD OF LAW EXAMINERS RECORDS, is referred to the Committee on Judiciary II.

By Representative Dawkins:

H.B. 310, A BILL TO BE ENTITLED AN ACT TO INCREASE REGISTRATION AND RENEWAL FEES FOR PROFESSIONAL CORPORATIONS, is referred to the Committee on Finance.

By Representatives Grimmer, Barnhill, Bowman, Brown, Creech, Flaherty, Sam Hunt, Hurley, Isenhower, Kerr, Lilley, Mercer, Pope, Privette, Warner, and Wilson:

H.B. 311, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE TWO HUNDRED MILLION DOLLARS OF GENERAL OBLIGATION BONDS OF THE STATE TO PROVIDE FUNDS, WITH ANY OTHER AVAILABLE FUNDS, FOR THE CONSTRUCTION OF STATE PRISON FACILITIES AND YOUTH SERVICES FACILITIES, is referred to the Committee on Appropriations.

By Representatives Nesbitt, Albertson, Barbee, Barnes, Barnhill, Beall, Black, Bowie, Bowman, Brown, Buchanan, Church, Colton, N. J. Crawford, Culp, DeVane, Dial, Diamont, Easterling, Esposito, Fitch, Fletcher, Foster, Gardner, Gottovi, Grady, Greenwood, Hardaway, Hensley, Judy Hunt, R. Hunter, Hurley, James, Jeffus, Jones, Jordan, Kennedy, Kerr, Lilley, Lineberry, Luebke, Lutz, McAllister, McLawhorn, Mercer, Oldham, Payne, Ramsey, Redwine, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wainwright, Wicker, Wilmoth, Wilson, Wood, and Woodard:

H.B. 312, A BILL TO BE ENTITLED AN ACT TO CONTINUE THE LEGISLATIVE COMMISSION ON NURSING, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Nesbitt, Barnes, Barnhill, Beall, Black, Bowie, Bowman, Brown, Buchanan, Church, Colton, N. J. Crawford, Culp, DeVane, Dial, Diamont, Easterling, Esposito, Fitch, Fletcher, Foster, Gardner, Gottovi, Grady, Greenwood, Hardaway, Hensley, Huffman, Judy Hunt, Hurley, James, Jeffus, Jeralds, Jones, Jordan, Kennedy,

Kerr, Lilley, Lineberry, Luebke, Lutz, McAllister, McLawhorn, Mercer, Oldham, Payne, Privette, Ramsey, Redwine, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wainwright, Wicker, Wilmoth, Wilson, Wood, and Woodard:

H.B. 313, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR NURSING EDUCATION AND TRAINING PROGRAMS, is referred to the Committee on Appropriations.

By Representatives Nesbitt, Albertson, Barbee, Barnes, Barnhill, Beall, Black, Bowie, Bowman, Brown, Buchanan, Church, Colton, N. J. Crawford, Culp, DeVane, Dial, Diamont, Dickson, Easterling, Esposito, Fitch, Fletcher, Foster, Gardner, Gottovi, Grady, Greenwood, Hardaway, Hensley, Judy Hunt, R. Hunter, Hurley, James, Jeffus, Jeralds, Jones, Jordan, Kennedy, Kerr, Lilley, Lineberry, Luebke, Lutz, McAllister, McLawhorn, Mercer, Oldham, Payne, Privette, Ramsey, Redwine, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wainwright, Wicker, Wilmoth, Wilson, Wood, and Woodard:

H.B. 314, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF PROGRAMS TO ADDRESS THE NURSING SHORTAGE IN NORTH CAROLINA, is referred to the Committee on Education.

By Representatives Nesbitt, Albertson, Barbee, Barnes, Barnhill, Beall, Black, Bowie, Bowman, Brown, Buchanan, Church, Colton, N. J. Crawford, Culp, DeVane, Dial, Diamont, Easterling, Esposito, Fitch, Fletcher, Foster, Gardner, Gottovi, Grady, Greenwood, Hardaway, Hensley, Judy Hunt, R. Hunter, Hurley, James, Jeffus, Jeralds, Jones, Jordan, Kennedy, Lilley, Lineberry, Luebke, Lutz, McAllister, McLawhorn, Mercer, Oldham, Payne, Ramsey, Redwine, Robinson, Rogers, Russell, Stamey, Stewart, Thompson, Wainwright, Wicker, Wilmoth, Wilson, Wood, and Woodard:

H.B. 315, A BILL TO BE ENTITLED AN ACT TO ASSIST STATE AGENCIES IN FILLING VACANCIES WITHIN SHORTAGE OCCUPATIONS, INCLUDING NURSING, is referred to the Committee on Public Employees.

By Representative Holt:

H.B. 316, A BILL TO BE ENTITLED AN ACT TO CHANGE CERTAIN EXAMINATION FEES CHARGED BY THE BOARD OF COSMETOLOGY EXAMINERS, is referred to the Committee on Finance.

By Representatives Holt and Wood:

H.B. 317, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A REGISTRATION REQUIREMENT FOR ESTHETICIANS, TO INCLUDE ARTIFICIAL NAIL PROVIDERS WITHIN THE DEFINITION OF MANICURIST, TO INCREASE THE COURSE HOURS FOR REGISTERED MANICURISTS, AND TO REMOVE THE EXEMPTION FOR MANICURISTS PRACTICING OUTSIDE COSMETIC ART SHOPS, is referred to the Committee on State Government.

By Representatives Colton, Gottovi, Hurley, and Stamey:

H.B. 318, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES FOR INITIAL OUTDOOR ADVERTISING PERMITS TO COVER THE COST OF PROCESSING THOSE PERMITS, is referred to the Committee on Finance.

By Representatives Colton and Easterling:

H.B. 319, A BILL TO BE ENTITLED AN ACT TO CLARIFY RULEMAKING AND ENFORCEMENT AUTHORITY FOR DAY CARE HEALTH ISSUES, is referred to the Committee on Human Resources.

By Representatives Kahl, Albertson, Barbee, Culp, DeVane, Gottovi, Greenwood, Hensley, Hurley, Jeffus, Jordan, Kerr, McLawhorn, Mercer, Privette, Redwine, Stamey, Wainwright, and Wood:

H.B. 320, A BILL TO BE ENTITLED AN ACT TO ALLOW ADDITIONAL RETROACTIVE MEMBERSHIP IN THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, is referred to the Committee on Pensions and Retirement.

By Representative Loflin:

H.B. 321, A BILL TO BE ENTITLED AN ACT TO EXEMPT REAL ESTATE ACQUIRED BY THE DEPARTMENT OF TRANSPORTATION FROM THE REQUIREMENT THAT IT BE APPRAISED BY LICENSED OR CERTIFIED APPRAISER WHEN THE ESTIMATED VALUE OF THE REAL ESTATE IS LESS THAN TEN THOUSAND DOLLARS, is referred to the Committee on Transportation.

By Representative Gamble:

H.B. 322, A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATE TAX ON GROSS RECEIPTS DERIVED FROM THE BUSINESS OF OFFERING ENTERTAINMENT OR AMUSEMENT FOR WHICH AN ADMISSION IS CHARGED, AND TO PROVIDE THAT MOTION PICTURES SHALL BE TAXED IN THE SAME WAY AS OTHER ENTERTAINMENT, is referred to the Committee on Finance.

By Representatives Anderson, Bowman, Justus, and Privette:

H.B. 323, A BILL TO BE ENTITLED AN ACT TO PERMIT LIMITED EXPANSION OF THE PRISON ENTERPRISE LAUNDRY OPERATION, is referred to the Committee on Appropriations.

By Representatives Anderson, Gottovi, Grady, and Hurley:

H.B. 324, A BILL TO BE ENTITLED AN ACT TO REQUIRE COUNTY BOARDS OF ELECTIONS TO FILE CERTIFIED COPIES OF CERTAIN ELECTION RETURNS WITH THE SECRETARY OF STATE IN A FORMAT PRESCRIBED BY THE SECRETARY OF STATE, SO AS TO ALLOW PUBLICATION OF THE RETURNS IN A TIMELY MANNER AND IN A READILY ACCESSIBLE

FORMAT, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Jones, Bowman, and Privette:

H.B. 325, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOBBYISTS AND THEIR EMPLOYERS OR RETAINERS TO KEEP EXPENSE RECORDS FOR THREE YEARS AFTER SUBMITTING EACH LOBBYING EXPENSE REPORT, TO INCREASE THE PUNISHMENT FOR MAKING FALSE AND MISLEADING STATEMENTS ON LOBBYISTS' EXPENSE REPORTS TO A CLASS I FELONY, TO PERMIT THE SECRETARY OF STATE TO INVESTIGATE AND REFER EVIDENCE OF VIOLATIONS OF ARTICLE 9A OF CHAPTER 120 OF THE GENERAL STATUTES DIRECTLY TO THE APPROPRIATE DISTRICT ATTORNEY, AND TO GRANT THE SECRETARY OF STATE THE AUTHORITY TO MAKE, AMEND, AND RESCIND RULES, FORMS, ORDERS, AND DEFINITIONS IN CONNECTION WITH THE REGULATION OF LOBBYISTS, is referred to the Committee on Judiciary III.

By Representatives Hasty, DeVane, and Dial:

H.B. 326, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF ROWLAND TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 20**, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE EXEMPTION FROM CERTAIN DRIVERS LICENSES FOR VOLUNTEER FIREFIGHTERS, is read the first time and referred to the Committee on Judiciary III.

S.B. 56, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is read the first time and referred to the Committee on Finance.

S.B. 71, A BILL TO BE ENTITLED AN ACT TO TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE FOR THE APPOINTMENT OF APPELLATE JUDGES BY THE GOVERNOR, WITH THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY, AND TO AUTHORIZE THE GENERAL ASSEMBLY TO PROVIDE A PROCEDURE TO DETERMINE IF JUDGES SO APPOINTED SHOULD BE RETAINED IN OFFICE, is read the first time and referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

S.B. 101, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO LEVY A MOTOR VEHICLE TAX NOT TO EXCEED TEN DOLLARS, is read the first time and referred to the Committee on Finance.

S.B. 102, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE DEPARTMENT OF HUMAN RESOURCES REPORT CHANGES IN DOMICILIARY HOME REGULATING, LICENSING, AND MONITORING TO THE NORTH CAROLINA STUDY COMMISSION ON AGING, is read the first time and referred to the Committee on Human Resources.

S.B. 122, A BILL TO BE ENTITLED AN ACT TO DEFINE "CAREER STATE EMPLOYEES" AND TO ESTABLISH A DIFFERENT SET OF CRITERIA FOR DETERMINING WHETHER A STATE EMPLOYEE IS SUBJECT TO CHAPTER 126 OF THE GENERAL STATUTES, is read the first time and referred to the Committee on Public Employees.

S.B. 130, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONFERENCE OF CHIEF DISTRICT JUDGES TO ADOPT A SCHEDULE OF PARK AND RECREATION OFFENSES THAT ARE WAIVABLE AND ADOPT A SCHEDULE OF FINES AND PENALTIES FOR THOSE THAT ADMIT GUILT OR ACCEPT RESPONSIBILITY, is read the first time and referred to the Committee on Judiciary III.

S.B. 139, A BILL TO BE ENTITLED AN ACT TO ALLOW BESSEMER CITY TO REDISTRICT ITS RESIDENCY WARDS TO THE EXTENT PERMISSIBLE BY FEDERAL CONSTITUTIONAL AND STATUTORY PROVISIONS, SO AS TO ALLOW MAXIMIZATION OF MINORITY VOTING STRENGTH, is read the first time and referred to the Committee on Legislative and Local Redistricting.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 4, AN ACT TO PROVIDE THAT SAMPSON COUNTY IS AUTHORIZED TO CONSTRUCT GAS LINES. (CHAPTER 13)

H.B. 112, AN ACT RELATING TO THE MANNER OF FILLING VACANCIES IN THE OFFICE OF REGISTER OF DEEDS OF EDGECOMBE AND LINCOLN COUNTIES. (CHAPTER 14)

H.B. 138, AN ACT TO PROVIDE THAT IN FILLING A VACANCY IN THE OFFICE OF SHERIFF OF EDGECOMBE AND LINCOLN COUNTIES, THE COUNTY BOARD OF COMMISSIONERS MUST APPOINT THE NOMINEE OF THE PARTY EXECUTIVE COMMITTEE OF THE VACATING SHERIFF. (CHAPTER 15)

H.B. 197, AN ACT TO ALLOW THE TOWN OF STALLINGS TO OPERATE A CONTRACT POST OFFICE. (CHAPTER 16)

CALENDAR

Action is taken on the following:

H.B. 84, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON LEGISLATION AUTHORIZING CURRITUCK

COUNTY TO LEVY AN EXCISE TAX ON INSTRUMENTS CONVEYING REAL PROPERTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Black, Bowie, Bowman, Brawley, Brown, Brubaker, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hensley, Hightower, Holmes, Huffman, Jack Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wicker, Wilson, Wood, and Woodard - 102.

Voting in the negative: Representatives Beall, Hege, Howard, and Ligon - 4.

Excused absences: Representatives Beard, Esposito, Holt, Kimsey, Warner, and Withrow - 6.

H.B. 185, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCOPE OF THE GASTON COUNTY OCCUPANCY TAX.

On motion of Representative Abernethy, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Black, Bowie, Bowman, Brawley, Brown, Brubaker, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hensley, Hightower, Holmes, Huffman, Jack Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wicker, Wilson, Wood, and Woodard - 102.

Voting in the negative: Representatives Beall, Hege, Howard, and Ligon - 4.

Excused absences: Representatives Beard, Esposito, Holt, Kimsey, Warner, and Withrow - 6.

H.B. 193, A BILL TO BE ENTITLED AN ACT TO ALLOW CURRITUCK COUNTY TO ESTABLISH A SPECIAL LEASH LAW DISTRICT, APPLY A LEASH LAW WITHIN THAT DISTRICT, AND LEVY A TAX IN THAT DISTRICT FOR ENFORCEMENT OF THE LEASH LAW, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Black, Bowie, Bowman, Brawley, Brown, Brubaker, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hensley, Hightower, Holmes, Huffman, Jack Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wicker, Wilson, Wood, and Woodard - 102.

Voting in the negative: Representatives Beall, Hege, Howard, and Ligon - 4.

Excused absences: Representatives Beard, Esposito, Holt, Kimsey, Warner, and Withrow - 6.

H.B. 248, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MOORESVILLE TO LEVY A ROOM OCCUPANCY TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Black, Bowie, Bowman, Brawley, Brown, Brubaker, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hensley, Hightower, Holmes, Huffman, Jack Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wicker, Wilson, Wood, and Woodard - 102.

Voting in the negative: Representatives Beall, Hege, Howard, and Ligon - 4.

Excused absences: Representatives Beard, Esposito, Holt, Kimsey, Warner, and Withrow - 6.

H.B. 244, A BILL TO BE ENTITLED AN ACT CONCERNING MUNICIPAL ELECTIONS IN THE CITY OF HIGH POINT.

The bill, as amended, passes its third reading, by electronic vote (88-20), and is ordered engrossed and sent to the Senate.

H.B. 233, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE STANLY COUNTY AIRPORT AUTHORITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H.B. 11, A BILL TO BE ENTITLED AN ACT TO APPLY THE TIRE TAX, USED TO PAY FOR THE DISPOSAL OF SCRAP TIRES, TO NEW TIRES FOR ROAD CONSTRUCTION EQUIPMENT AND OTHER NEW VEHICLE TIRES.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Barbee, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Dawkins, DeVane, Dial, Diamont, Dickson, Easterling, Ethridge, Fitch, Flaherty, Fletcher, Foster, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hensley, Holmes, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wainwright, Wicker, and Wilmoth - 93.

Voting in the negative: Representatives Balmer, Brubaker, Creech, Culp, Decker, Dockham, Hege, Hightower, Howard, Ligon, Morgan, Wilson, Wood, and Woodard - 14.

Excused absences: Representatives Beard, Esposito, Holt, Kimsey, Warner, and Withrow - 6.

Committee Substitute for H.B. 51, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE AND REVISE STATUTES CONCERNING THE PROPERTY TAX COMMISSION, TO REPEAL UNNECESSARY DUTIES OF THE DEPARTMENT OF REVENUE, TO REPEAL THE REQUIREMENT THAT ALL OF THE EMPLOYEES IN THE DEPARTMENT OF REVENUE TAKE AN OATH, AND TO CONFORM THE OATHS REQUIRED BY THE OFFICEHOLDERS IN THE DEPARTMENT OF REVENUE TO THE OATH REQUIRED BY THE CONSTITUTION, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 204, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SOCIAL SERVICES COMMISSION TO ADOPT RULES PERTAINING TO THE EDUCATION REQUIREMENTS FOR DOMICILIARY HOMES.

Representative Colton offers Amendment No. 1.

Representative Colton withdraws Amendment No. 1.

On motion of Representative Miller, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

S.J.R. 118, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENT OF WILLIAM T. GRAHAM AS COMMISSIONER OF BANKS.

On motion of Representative Rhyne, Committee Amendment No. 1 is adopted.

Representative Gamble moves that the resolution be withdrawn from the Calendar and re-referred to the Committee on Rules, Appointments and Calendar. This motion fails.

The resolution, as amended, passes its second reading, by electronic vote (107-4), and there being no objection is read a third time.

The resolution, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

S.B. 144, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE TO APRIL 1, 1991, FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO MAKE ITS FIRST REPORT ASSESSING THE RECYCLING INDUSTRY AND MARKETS FOR RECYCLABLE MATERIALS IN THE STATE, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 90, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A NINETY-DAY PERIOD OF TIME FOR THE RENEWAL OF DRIVERS LICENSES, TO WAIVE THE CIVIL PENALTY FOR LAPSED LIABILITY INSURANCE, AND TO WAIVE THE SERVICE CHARGE FOR REREGISTRATION OF A VEHICLE OF MILITARY PERSONNEL DEPLOYED IN SUPPORT OF "OPERATION DESERT SHIELD" OR "OPERATION DESERT STORM",** passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 119, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE ACT REQUIRING THAT HEADLIGHTS BE ILLUMINATED WHEN WINDSHIELD WIPERS ARE ON TO MAKE THAT VEHICLE MORE DISCERNIBLE DURING PERIODS OF LIMITED VISIBILITY.

Representative Dawkins moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

Representative Judy Hunt moves, seconded by Representative Hackney, that the House do now adjourn.

Representative Judy Hunt withdraws her motion to adjourn.

The question before the House is the motion to withdraw the bill from the Calendar and re-refer to the Committee on Judiciary II. This motion fails by electronic vote (37-73).

Representative Dawkins calls the previous question on the passage of the bill and the call is sustained.

The bill passes its second reading, by electronic vote (88-20), and there being no objection is read a third time.

Representative Jack Hunt moves that the bill be withdrawn from tonight's Calendar and placed on the Calendar for March 26.

A division having been called the motion fails by electronic vote (49-52).

Representative Hackney moves that the bill be withdrawn from tonight's Calendar and placed on the Calendar for March 27.

The Speaker rules the motion out of order.

The bill passes its third reading, by electronic vote (85-17), and is ordered enrolled.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

S.J.R. 236, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES EARL "JIM" EZZELL, JR., LATE MEMBER OF THE GENERAL ASSEMBLY, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

On motion of Representative Jack Hunt, seconded by Representative Morgan, the House adjourns at 9:50 p.m. to reconvene March 26 at 3:00 p.m.

THIRTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Tuesday, March 26, 1991

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Ann Jones, Interim Pastor, West Raleigh Presbyterian Church.

Representative Stamey for the Committee on Rules, Appointments and Calendar reports the Journal of March 25 has been examined and found correct. Upon her motion, the Journal is approved as written by electronic vote (85-0).

Leaves of absence are granted Representatives Esposito, Holt, Sam Hunt, Jeffus, and Withrow for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Dawkins for the Committee on Judiciary II:

H.B. 206, A BILL TO BE ENTITLED AN ACT TO SPECIFY AND MAKE UNIFORM THROUGHOUT THE STATE THE MANNER OF FILLING VACANCIES IN THE OFFICE OF REGISTER OF DEEDS, AND TO CLARIFY THAT THE REGISTER OF DEEDS TERM IS FOUR YEARS IN ALL COUNTIES, with a favorable report.

By Representatives Hackney and Miller for the Committee on Finance:

S.B. 56, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Diamont, Judy Hunt, and Wilmoth:

H.B. 327, A BILL TO BE ENTITLED AN ACT CHANGING THE TIME NEWLY ELECTED MEMBERS OF THE SURRY COUNTY BOARD OF EDUCATION SHALL QUALIFY, is referred to the Committee on Local and Regional Government I.

By Representative Chapin:

H.B. 328, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADVANCE PLANNING OF A CAPITAL IMPROVEMENT PROJECT AT BEAUFORT COUNTY COMMUNITY COLLEGE, is referred to the Committee on Appropriations.

By Representative Creech:

H.B. 329, A BILL TO BE ENTITLED AN ACT TO REQUIRE A COUNTY TO HOLD A PUBLIC HEARING BEFORE CHANGING THE STRUCTURE OF THE BOARD OF COMMISSIONERS, AS A CITY IS ALREADY REQUIRED TO DO BEFORE CHANGING THE STRUCTURE OF ITS GOVERNING BOARD, is referred to the Committee on Judiciary I.

By Representative Creech:

H.B. 330, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF MOTOR VEHICLE DEALER, is referred to the Committee on Judiciary II.

By Representative Creech:

H.B. 331, A BILL TO BE ENTITLED AN ACT TO REQUIRE TWO REAR-VISION MIRRORS ON CERTAIN TRUCKS, BUSES, AND TRUCK TRACTORS, is referred to the Committee on Judiciary II.

By Representative Russell:

H.B. 332, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW REGARDING THE GOVERNOR'S APPOINTMENTS TO THE GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES TO FEDERAL LAW, is referred to the Committee on State Government.

By Representatives Jeffus, Bowman, and Redwine:

H.B. 333, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF EDUCATION TO ADOPT RULES REGARDING THE DISPOSITION OF OLD TEXTBOOKS AND OTHER INSTRUCTIONAL MATERIAL, is referred to the Committee on Education.

By Representatives Bowman, Hensley, and Jordan:

H.B. 334, A BILL TO BE ENTITLED AN ACT REGARDING ANNUAL VACATION LEAVE FOR TEACHERS, is referred to the Committee on Education.

By Representatives James and Thompson:

H.B. 335, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO COMPLETE THE FACILITIES AT THE TIDEWATER RESEARCH STATION, is referred to the Committee on Appropriations.

By Representatives James and Thompson:

H.B. 336, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR ANIMAL HEALTH AND ANIMAL PRODUCTS SAFETY PROGRAMS, is referred to the Committee on Appropriations.

By Representatives James and Thompson:

H.B. 337, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR INTERNATIONAL AND DOMESTIC MARKETING, is referred to the Committee on Appropriations.

By Representatives James, Bowman, and Thompson:

H.B. 338, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR PESTICIDE PROGRAM EXPANSION, is referred to the Committee on Appropriations.

By Representatives James and Thompson:

H.B. 339, A BILL TO BE ENTITLED AN ACT TO EXEMPT PASQUOTANK COUNTY FROM THE REQUIREMENTS OF ARTICLE 12 OF CHAPTER 160A OF THE GENERAL STATUTES AS TO THE LEASE OR SALE OF CERTAIN PROPERTY, is referred to the Committee on Local and Regional Government II.

By Representatives James and Thompson:

H.B. 340, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CURRITUCK COUNTY TO LEVY AN ADDITIONAL ONE PERCENT OCCUPANCY TAX AND TO USE THE PROCEEDS OF THE ADDITIONAL TAX FOR THE CURRITUCK WILDLIFE MUSEUM, is referred to the Committee on Finance.

By Representatives James, Fitch, McGee, and McLawhorn:

H.B. 341, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA RACING COMMISSION AND TO PROVIDE FUNDS FOR AGRICULTURAL RESEARCH AND DEVELOPMENT, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Pope, Bowie, Bowman, J. W. Crawford, Hurley, Lilley, Loflin, Robinson, Russell, and Warner:

H.B. 342, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A BOND REFERENDUM ON THE ISSUANCE OF THREE HUNDRED FIFTY-FIVE MILLION DOLLARS GENERAL OBLIGATION BONDS OF THE STATE, TO BE VOTED ON BY THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS, WITH ANY OTHER AVAILABLE FUNDS, FOR EDUCATION FACILITIES, MENTAL HEALTH FACILITIES, WATER AND WASTEWATER FACILITIES, AND SOLID WASTE DISPOSAL FACILITIES, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

CALENDAR

Action is taken on the following:

H.B. 84, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON LEGISLATION AUTHORIZING CURRITUCK COUNTY TO LEVY AN EXCISE TAX ON INSTRUMENTS CONVEYING REAL PROPERTY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Barbee, Barnes, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, Cunningham, Dawkins, DeVane, Dial, Dickson, Easterling, Flaherty, Fletcher, Foster, Fussell, Gamble, Gist, Gottovi, Green, Hackney, Hardaway, Hensley, Hightower, Huffman, Jack Hunt, Hurley, Isenhower, James, Jarrell, Jeralds, Jones, Jordan, Kahl, Kennedy, Kerr, Lewis, Lilley, Loflin, Lutz, McGee, McLaughlin,

McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Tallent, Thompson, Wainwright, Warner, and Woodard - 77.

Voting in the negative: Representatives Balmer, Beall, Brubaker, Creech, Culp, Decker, Dockham, Gardner, Grady, Gray, Grimmer, Hege, Holmes, Howard, Judy Hunt, Kimsey, Ligon, Nye, Wilmoth, Wilson, and Wood - 21.

Excused absences: Representatives Esposito, Holt, Sam Hunt, Jeffus, and Withrow - 5.

H.B. 185, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCOPE OF THE GASTON COUNTY OCCUPANCY TAX.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Easterling, Fitch, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hensley, Hightower, Holmes, Huffman, Jack Hunt, Judy Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Wood, and Woodard - 99.

Voting in the negative: Representatives Beall, Dockham, Gottovi, Hege, Howard, and Ligon - 6.

Excused absences: Representatives Esposito, Holt, Sam Hunt, Jeffus, and Withrow - 5.

H.B. 193, A BILL TO BE ENTITLED AN ACT TO ALLOW CURRITUCK COUNTY TO ESTABLISH A SPECIAL LEASH LAW DISTRICT, APPLY A LEASH LAW WITHIN THAT DISTRICT, AND LEVY A TAX IN THAT DISTRICT FOR ENFORCEMENT OF THE LEASH LAW, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Easterling, Fitch, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hensley, Hightower, Holmes, Huffman, Jack Hunt, Judy Hunt, R. Hunter,

Hurley, Isenhower, James, Jarrell, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Wood, and Woodard - 99.

Voting in the negative: Representatives Beall, Dockham, Gottovi, Hege, Howard, and Ligon - 6.

Excused absences: Representatives Esposito, Holt, Sam Hunt, Jeffus, and Withrow - 5.

H.B. 248, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MOORESVILLE TO LEVY A ROOM OCCUPANCY TAX, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Easterling, Fitch, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hensley, Hightower, Holmes, Huffman, Jack Hunt, Judy Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Wood, and Woodard - 99.

Voting in the negative: Representatives Beall, Dockham, Gottovi, Hege, Howard, and Ligon - 6.

Excused absences: Representatives Esposito, Holt, Sam Hunt, Jeffus, and Withrow - 5.

Committee Substitute for H.B. 11, A BILL TO BE ENTITLED AN ACT TO APPLY THE TIRE TAX, USED TO PAY FOR THE DISPOSAL OF SCRAP TIRES, TO NEW TIRES FOR ROAD CONSTRUCTION EQUIPMENT AND OTHER NEW VEHICLE TIRES.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Easterling, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hensley, Holmes, Howard,

Huffman, Jack Hunt, Judy Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, and Wilmoth - 94.

Voting in the negative: Representatives Balmer, Brubaker, Creech, Culp, Decker, Dockham, Hege, Hightower, Ligon, Morgan, Wilson, Wood, and Woodard - 13.

Excused absences: Representatives Esposito, Holt, Sam Hunt, Jeffus, and Withrow - 5.

Committee Substitute for **H.B. 20, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A MORE EFFICIENT AND EQUITABLE PROCEDURE FOR ASSESSING AND COLLECTING LOCAL AD VALOREM PROPERTY TAXES ON CERTAIN MOTOR VEHICLES.**

Representative Kerr calls the previous question on the passage of the bill and the call is sustained.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brawley, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hensley, Holmes, Huffman, Jack Hunt, Judy Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLawhorn, Mavretic, Mercer, Miller, Morgan, Nesbitt, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Robinson, Rogers, Russell, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wood, and Woodard - 100.

Voting in the negative: Representatives Beall, Brown, Brubaker, Decker, Grady, Hege, Hightower, Howard, McLaughlin, Michaux, Nye, Rhyne, Smith, and Wilson - 14.

Excused absences: Representatives Esposito, Holt, Sam Hunt, and Withrow - 4.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 90, AN ACT TO PROVIDE FOR A NINETY-DAY PERIOD OF TIME FOR THE RENEWAL OF DRIVERS LICENSES, TO

WAIVE THE CIVIL PENALTY FOR LAPSED LIABILITY INSURANCE, AND TO WAIVE THE SERVICE CHARGE FOR REREGISTRATION OF A VEHICLE OF MILITARY PERSONNEL DEPLOYED IN SUPPORT OF "OPERATION DESERT SHIELD" OR "OPERATION DESERT STORM". (CHAPTER 17)

S.B. 119, AN ACT TO REMOVE THE SUNSET ON THE ACT REQUIRING THAT HEADLIGHTS BE ILLUMINATED WHEN WINDSHIELD WIPERS ARE ON TO MAKE THAT VEHICLE MORE DISCERNIBLE DURING PERIODS OF LIMITED VISIBILITY. (CHAPTER 18)

S.B. 144, AN ACT TO EXTEND THE DEADLINE TO APRIL 1, 1991, FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO MAKE ITS FIRST REPORT ASSESSING THE RECYCLING INDUSTRY AND MARKETS FOR RECYCLABLE MATERIALS IN THE STATE. (CHAPTER 19)

SUBCOMMITTEE REFERRALS

Representative Jeralds, Chairman for the Standing Committee on Human Resources, refers:

S.B. 102, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE DEPARTMENT OF HUMAN RESOURCES REPORT CHANGES IN DOMICILIARY HOME REGULATING, LICENSING, AND MONITORING TO THE NORTH CAROLINA STUDY COMMISSION ON AGING, to the Permanent Subcommittee on Aging.

H.B. 319, A BILL TO BE ENTITLED AN ACT TO CLARIFY RULEMAKING AND ENFORCEMENT AUTHORITY FOR DAY CARE HEALTH ISSUES, to the Permanent Subcommittee on Children, Families and Youth.

Representatives Hackney and Miller, Co-chairmen for the Standing Committee on Finance, refer:

H.B. 64, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE AND SIMPLIFY THE SPECIAL LICENSE PLATE LAWS, to the Permanent Subcommittee on State Revenue.

On motion of Representative Jack Hunt, seconded by Representative Barnhill, the House adjourns, by electronic vote (93-4), at 3:46 p.m. to reconvene March 27 at 3:00 p.m.

THIRTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 27, 1991

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments, and Calendar reports the Journal of March 26 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Esposito, R. Hunter, Rhodes, and Withrow for today.

PERMANENT SUBCOMMITTEE REPORT

The following reports from permanent subcommittees are presented:

By Representative Gamble for the Permanent Subcommittee on Local and Regional Government Revenue:

H.B. 225, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DARE COUNTY TO INCREASE ITS OCCUPANCY TAX, LEVY A RESTAURANT TAX, AND CREATE A TOURISM BOARD TO PROMOTE TOURISM IN DARE COUNTY, reported to the Standing Committee on Finance, with an unfavorable recommendation as to bill, favorable as to committee substitute bill.

By Representative Thompson for the Permanent Subcommittee on Solid Waste of the Standing Committee on Environment, with approval of the standing committee chairman for report to be made directly to the floor:

Committee Substitute for S.B. 142, A BILL TO BE ENTITLED AN ACT TO APPLY THE REQUIREMENT THAT PLASTIC BAGS DISTRIBUTED AT RETAIL OUTLETS HAVE WRITTEN NOTIFICATION OF RECYCLABILITY ON THE BAG ONLY TO BAGS PURCHASED BY THE RETAILER AFTER 1 JANUARY 1991, with a favorable report.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Gist for the Committee on Local and Regional Government I:

H.B. 273, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATION OF HENDERSON COUNTY'S OCCUPANCY TAX LAW, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H.B. 278, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF LONG BEACH TO ALLOW THE TOWN TO ASSESS BENEFITED PROPERTY FOR UNDERGROUNDING OF UTILITIES, AND FOR CONSTRUCTION OF PUBLIC STREETS BY NECESSITY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

S.B. 223, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE MONTGOMERY COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN PROPERTY, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Cunningham, Balmer, Barnhill, Black, Easterling, Foster, Grimmer, and McLaughlin:

H.B. 343, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO REDUCE ITS PRIVILEGE LICENSE TAX PENALTIES AND TO AUTHORIZE CERTAIN CITIES TO ALLOW CREDITS FOR PRIVILEGE LICENSE TAX PENALTIES, is referred to the Committee on Finance.

By Representative Grimmer:

H.B. 344, A BILL TO BE ENTITLED AN ACT TO REPEAL G.S. 143-215.1(b1), SUCH THAT FILTER BACKWASH DISCHARGES FROM POOLS AND SPAS WILL BE SUBJECT TO THE SAME PERMIT REQUIREMENTS AS OTHER DISCHARGES, IN ORDER TO REMOVE A PROVISION OF STATE LAW THAT THE U.S. ENVIRONMENTAL PROTECTION AGENCY HAS NOTED IS PRE-EMPTED BY FEDERAL LAW, is referred to the Committee on Environment.

By Representatives Beall, Hardaway, and Luebke:

H.B. 345, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MINIMUM WAGE AND TO PROVIDE FOR A TRAINING WAGE FOR ELIGIBLE EMPLOYEES, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Gray and Bowman:

H.B. 346, A BILL TO BE ENTITLED AN ACT TO INCREASE FEES CHARGED BY THE BOARD OF PODIATRY EXAMINERS AND TO PROVIDE FOR TEMPORARY PODIATRY LICENSES, is referred to the Committee on State Government.

By Representatives Barnes, Anderson, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brown, Chapin, Colton, J. W. Crawford, N. J. Crawford, Cunningham, Dawkins, DeVane, Diamont, Dickson, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Gray, Green, Greenwood, Hackney, Hardaway, Hensley, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, James, Jarrell, Jeffus, Jerals, Jones, Jordan, Kahl, Kennedy, Kerr, Lilley, Lineberry, Luebke, Lutz, McAllister, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Nesbitt, Oldham, Payne, Privette, Ramsey, Redwine, Rhodes, Rogers, Russell, Stamey, Stewart, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, and Withrow:

H.B. 347, A BILL TO BE ENTITLED AN ACT TO REQUIRE MAMMOGRAM AND PAP SMEAR COVERAGE IN HEALTH AND ACCIDENT INSURANCE POLICIES, IN HOSPITAL OR MEDICAL SERVICES PLANS, IN HMO PLANS, AND IN THE

STATE EMPLOYEES COMPREHENSIVE MAJOR MEDICAL PLAN, is referred to the Committee on Human Resources.

By Representative Albertson:

H.B. 348, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF HARD-SURFACED ROADS IN JONES COUNTY, is referred to the Committee on Local and Regional Government II.

By Representatives Justus, Beard, Bowman, Buchanan, Diamont, Dickson, Dockham, Fletcher, Gamble, Hege, Howard, Kimsey, Ligon, Morgan, Privette, Rhodes, Russell, Stewart, Warner, Wilson, and Wood:

H.B. 349, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEPARATE OFFENSE PUNISHABLE BY A MANDATORY MINIMUM TEN YEARS IMPRISONMENT WITHOUT PAROLE, GOOD TIME, OR GAIN TIME FOR POSSESSION OF A CONCEALED WEAPON OR USE OF A DEADLY WEAPON DURING THE COMMISSION OF A FELONY DRUG OFFENSE, is referred to the Committee on Judiciary I.

By Representatives Dial, Hardaway, and Hensley:

H.B. 350, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING THE EMPLOYMENT OF THE EXECUTIVE DIRECTOR OF THE COMMISSION OF INDIAN AFFAIRS, is referred to the Committee on State Government.

By Representatives Beard and Hardaway:

H.B. 351, A BILL TO BE ENTITLED AN ACT TO AMEND AND IMPROVE THE INSURANCE LAWS ON THE MONITORING OF THE FINANCIAL CONDITION OF INSURANCE COMPANIES IN ACCORDANCE WITH THE FINANCIAL REGULATION STANDARDS AND INSURANCE DEPARTMENT ACCREDITATION PROGRAM OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS, is referred to the Committee on Commerce.

By Representatives Rhyne and Dickson:

H.B. 352, A BILL TO BE ENTITLED AN ACT TO LIMIT THE NORTH CAROLINA CHILDHOOD VACCINE-RELATED INJURY PROGRAM TO CLAIMANTS WHO ARE PERMITTED BY FEDERAL LAW TO BRING A CIVIL ACTION FOR DAMAGES FOR VACCINE-RELATED INJURY OR DEATH, is referred to the Committee on Judiciary I.

By Representatives Woodard and Bowman:

H.B. 353, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AMENDMENTS TO THE PHARMACY PRACTICE ACT, is referred to the Committee on State Government.

By Representative Woodard:

H.B. 354, A BILL TO BE ENTITLED AN ACT TO CHANGE CERTAIN FEES CHARGED BY THE BOARD OF PHARMACY, is referred to the Committee on Finance.

By Representatives Gamble and Green:

H.B. 355, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SUBPOENA POWER OF THE BOARD OF MEDICAL EXAMINERS, is referred to the Committee on Judiciary III.

By Representative Gamble:

H.B. 356, A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FROM THE PUBLIC RECORDS ACT FOR THE LINCOLN COUNTY GEOGRAPHICAL INFORMATION SYSTEM, is referred to the Committee on Local and Regional Government II.

By Representatives Gamble and Green:

H.B. 357, A BILL TO BE ENTITLED AN ACT TO SPECIFY THE POWERS OF THE BOARD OF MEDICAL EXAMINERS REGARDING REAL PROPERTY, is referred to the Committee on State Government.

By Representative Foster:

H.B. 358, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR VARIOUS COMMUNITY SERVICE PROJECTS IN MECKLENBURG COUNTY, is referred to the Committee on Appropriations.

By Representatives Foster, Greenwood, and Loflin:

H.B. 359, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE COMMUNITY HEALTH SERVICES OF MECKLENBURG AND UNION COUNTIES, INC., ARTHRITIS PATIENT SERVICES DIVISION, FOR OPERATING EXPENSES AND STAFF EXPANSION, is referred to the Committee on Appropriations.

By Representative Foster:

H.B. 360, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE MENTAL HEALTH ASSOCIATION OF MECKLENBURG COUNTY FOR ITS ACTIVITIES AND PROGRAMS, is referred to the Committee on Appropriations.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 238, A BILL TO BE ENTITLED AN ACT TO ADD A MEMBER TO THE STATE ADVISORY COUNCIL ON INDIAN EDUCATION, is read the first time and referred to the Committee on State Government.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 228, AN ACT TO DELAY BY THREE MONTHS THE REQUIREMENT THAT RESIDENT INSPECTORS BE ASSIGNED TO

COMMERCIAL HAZARDOUS WASTE FACILITIES. (CHAPTER 20)**CALENDAR**

Action is taken on the following:

S.B. 56, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Diamont, Dickson, Dockham, Easterling, Ethridge, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holmes, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhyne, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Wood, and Woodard - 101.

Voting in the negative: None.

Excused absences: Representatives Esposito, R. Hunter, Rhodes, and Withrow - 4.

Committee Substitute for H.B. 20, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A MORE EFFICIENT AND EQUITABLE PROCEDURE FOR ASSESSING AND COLLECTING LOCAL AD VALOREM PROPERTY TAXES ON CERTAIN MOTOR VEHICLES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Barbee, Barnes, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brawley, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hensley, Holmes, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLawhorn, Mercer, Miller, Morgan, Nesbitt, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Robinson, Rogers, Russell, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wood, and Woodard - 96.

Voting in the negative: Representatives Balmer, Brown, Brubaker, Decker, Grady, Hege, Hightower, Howard, McLaughlin, Nye, Rhyne, Smith, and Wilson - 13.

Excused absences: Representatives Esposito, R. Hunter, Rhodes, and Withrow - 4.

Committee Substitute for **H.B. 126**, A BILL TO BE ENTITLED AN ACT TO EXTEND TO CERTAIN AIRPORT AUTHORITIES THE AUTHORITY TO PURCHASE PROPERTY SUBJECT TO A PURCHASE MONEY SECURITY INTEREST, passes its second reading, by electronic vote (107-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 206, A BILL TO BE ENTITLED AN ACT TO SPECIFY AND MAKE UNIFORM THROUGHOUT THE STATE THE MANNER OF FILLING VACANCIES IN THE OFFICE OF REGISTER OF DEEDS, AND TO CLARIFY THAT THE REGISTER OF DEEDS TERM IS FOUR YEARS IN ALL COUNTIES, passes its second reading, by electronic vote (104-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Jack Hunt, seconded by Representative N. J. Crawford, the House adjourns, by electronic vote (96-1), at 3:31 p.m. to reconvene March 28 at 3:00 p.m.

THIRTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Thursday, March 28, 1991

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments, and Calendar reports the Journal of March 27 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (90-0).

Leaves of absence are granted Representatives Barbee, Beall, Brubaker, Dickson, Esposito, Gamble, Sam Hunt, Kahl, Lutz, Privette, Rhodes, Wicker, and Withrow for today.

SUBCOMMITTEE REFERRAL

Representative DeVane, Chairman for the Standing Committee on Environment, refers:

H.B. 344, A BILL TO BE ENTITLED AN ACT TO REPEAL G.S. 143-215.1(b1), SUCH THAT FILTER BACKWASH DISCHARGES FROM POOLS AND SPAS WILL BE SUBJECT TO THE SAME PERMIT REQUIREMENTS AS OTHER DISCHARGES, IN ORDER TO REMOVE A PROVISION OF STATE LAW THAT THE U.S. ENVIRONMENTAL PROTECTION AGENCY HAS NOTED IS PRE-EMPTED BY FEDERAL LAW, to the Permanent Subcommittee on Water, Air and Soil.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Stamey for the Committee on Transportation:

H.B. 176, A BILL TO BE ENTITLED AN ACT ESTABLISHING A METHOD FOR SETTING THE FEES PAID TO CONTRACT AGENTS OF THE DIVISION OF MOTOR VEHICLES, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

SUBCOMMITTEE REFERRALS

Representative Stamey, Chairman for the Standing Committee on Transportation, refers:

H.B. 321, A BILL TO BE ENTITLED AN ACT TO EXEMPT REAL ESTATE ACQUIRED BY THE DEPARTMENT OF TRANSPORTATION FROM THE REQUIREMENT THAT IT BE APPRAISED BY LICENSED OR CERTIFIED APPRAISER WHEN THE ESTIMATED VALUE OF THE REAL ESTATE IS LESS THAN TEN THOUSAND DOLLARS, to the Permanent Subcommittee on Airports, Railways and Waterways.

H.B. 299, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE DESIGNATION OF TRUCK ROUTES, to the Permanent Subcommittee on Public Transportation.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative R. Hunter for the Committee on Judiciary III:

Committee Substitute for **S.B. 177**, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 10 OF CHAPTER 65 TO ALLOW ACCESS TO AND MAINTENANCE OF PRIVATE GRAVES AND ABANDONED PUBLIC CEMETERIES, with a favorable report, as amended.

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 291, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO LEVY A MOTOR VEHICLE TAX NOT TO EXCEED TWENTY-FIVE DOLLARS, with a favorable report.

On motion of Representative Miller, the rules are suspended and the bill is placed on the Calendar for April 3.

H.B. 326, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF ROWLAND TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report.

On motion of Representative Miller, the rules are suspended and the bill is placed on the Calendar for April 3.

S.B. 101, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO LEVY A MOTOR VEHICLE TAX NOT TO EXCEED TEN DOLLARS, with a favorable report.

On motion of Representative Miller, the rules are suspended and the bill is placed on the Calendar for April 3.

Committee Substitute for S.B. 128, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SYSTEMATIC REVIEW OF PROPERTY EXEMPTED OR EXCLUDED FROM PROPERTY TAXATION AND TO ALLOW PROPERTY THAT WAS ERRONEOUSLY EXEMPTED OR EXCLUDED TO BE TREATED AS DISCOVERED PROPERTY, with a favorable report, as amended.

On motion of Representative Miller, the rules are suspended and the bill is placed on the Calendar for April 3.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittees are presented:

By Representative Thompson for the Permanent Subcommittee on Solid Waste of the Standing Committee on Environment, with approval of the standing committee chairman for report to be made directly to the floor:

H.B. 133, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO USE, CONSISTENT WITH APPLICABLE ENGINEERING STANDARDS AND ECONOMIC FEASIBILITY, CERTAIN RECYCLED GOODS FOR CERTAIN SPECIFIED PURPOSES, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The committee substitute bill is placed on the Calendar for April 2. The original bill is placed on the Unfavorable Calendar.

By Representative Kerr for the Permanent Subcommittee on State Revenue:

H.B. 9, A BILL TO BE ENTITLED AN ACT TO REINSTATE SALES TAX ON MOPEDS, TOW DOLLIES, AND CERTAIN VEHICLE BODIES AND TO ESTABLISH A UNIFORM LONG-TERM LEASING RATE, referred to the Standing Committee on Finance, with a favorable recommendation.

H.B. 10, A BILL TO BE ENTITLED AN ACT TO ALLOW LESSORS AND RENTERS OF MOTOR VEHICLES TO ELECT TO PAY

HIGHWAY USE TAX ON MOTOR VEHICLES OWNED ON OCTOBER 1, 1989, AND TO CLARIFY THAT THESE MOTOR VEHICLES ARE OTHERWISE SUBJECT TO THE GROSS RECEIPTS TAX, referred to the Standing Committee on Finance, with an unfavorable recommendation as to bill, favorable as to committee substitute bill.

SUBCOMMITTEE REFERRALS

Representative Hardaway, Chairman for the Standing Committee on Commerce, refers:

H.B. 54, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE STATUTES RELATING TO CREDIT UNIONS, to the Permanent Subcommittee on Financial Institutions.

H.B. 52, A BILL TO BE ENTITLED AN ACT TO REGULATE FOREIGN CREDIT UNIONS, to the Permanent Subcommittee on Financial Institutions.

H.B. 22, A BILL TO BE ENTITLED AN ACT TO REGULATE REVERSE MORTGAGES, to the Permanent Subcommittee on Financial Institutions.

H.B. 182, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE NORTH CAROLINA HOUSING FINANCE AGENCY TO EXPAND ITS USE OF THE MULTIFAMILY RENTAL ASSISTANCE FUND TO AID IN THE PREVENTION OF HOMELESSNESS, to the Permanent Subcommittee on Housing.

H.B. 211, A BILL TO BE ENTITLED AN ACT TO ALLOW DEMOLITION OF DWELLINGS UNDER G.S. 160A-443 FOLLOWING AN ORDER OF THE PUBLIC OFFICER, to the Permanent Subcommittee on Housing.

REPRESENTATIVE COLTON, SPEAKER PRO-TEMPORE PRESIDING.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Jerals, Bowman, H. Hunter, Hurley, Jeffus, Justus, Mercer, Privette, Smith, and Warner:

H.B. 361, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN DRUG OFFENSES COMMITTED AT LOCATIONS DESIGNATED AS SCHOOL BUS STOPS SHALL BE PUNISHABLE AS CLASS E FELONIES, is referred to the Committee on Judiciary III.

By Representatives Flaherty, Buchanan, Grimmer, and Robinson:

H.B. 362, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE PROPERTY TAX EXEMPTION FOR INVENTORIES

OF MANUFACTURERS, WHOLESALERS, AND RETAILERS DOES NOT APPLY TO INVENTORIES OF CONTRACTORS, is referred to the Committee on Finance.

By Representative Flaherty:

H.B. 363, A BILL TO BE ENTITLED AN ACT TO REGULATE ACQUISITION OF PROPERTY BY AREA MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE AUTHORITIES, is referred to the Committee on Appropriations.

By Representatives Flaherty, Buchanan, Fletcher, Robinson, and Smith:

H.B. 364, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF VOCATIONAL REHABILITATION TO PURCHASE MOTOR VEHICLES TO TRANSPORT CLIENTS, is referred to the Committee on Appropriations.

By Representatives Greenwood, Bowman, Colton, N. J. Crawford, H. Hunter, and Nesbitt:

H.B. 365, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PAYMENT OF BENEFITS UNDER THE REGISTERS OF DEEDS' SUPPLEMENTAL PENSION FUND ON THE SAME DAY AS OTHER RETIREMENT BENEFITS ARE PAID, is referred to the Committee on Pensions and Retirement.

By Representatives Greenwood, N. J. Crawford, and Nesbitt:

H.B. 366, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT OF SICK LEAVE CREDITABLE TOWARD RETIREMENT FOR LOCAL GOVERNMENT EMPLOYEES, is referred to the Committee on Pensions and Retirement.

By Representatives Greenwood, N. J. Crawford, and Nesbitt:

H.B. 367, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PAYMENT OF PENALTIES FOR LATE PAYMENT OF CONTRIBUTIONS BY EMPLOYERS PARTICIPATING IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representatives Greenwood, Bowman, Colton, N. J. Crawford, and Nesbitt:

H.B. 368, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF "COMPENSATION" AS USED IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representative Rhyne:

H.B. 369, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF NOT IN EXCESS OF FORTY MILLION

DOLLARS BONDS OF THE STATE TO PROVIDE FUNDS, WITH ANY OTHER AVAILABLE FUNDS, FOR STATE BUILDINGS AND FACILITIES, SUCH AUTHORIZED BONDS TO BE ISSUED WITHOUT AN ELECTION DURING THE YEAR ENDED JUNE 30, 1992, IN AN AMOUNT NOT IN EXCESS OF SUCH AUTHORIZED AMOUNT AND NOT IN EXCESS OF TWO-THIRDS OF THE AMOUNT BY WHICH THE STATE'S OUTSTANDING INDEBTEDNESS SHALL HAVE BEEN REDUCED DURING THE 1988-90 BIENNIUM, is referred to the Committee on Appropriations.

By Representatives Jordan and R. Hunter:

H.B. 370, A BILL TO BE ENTITLED AN ACT SPECIFYING PROCEDURES FOR FILING OF ANNEXATION DOCUMENTS WITH THE SECRETARY OF STATE, is referred to the Committee on Judiciary III.

By Representatives Jordan, Bowman, H. Hunter, R. Hunter, and Smith:

H.B. 371, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE CHARGED BY THE SECRETARY OF STATE TO CERTIFY A DOCUMENT ON FILE IN THAT OFFICE, is referred to the Committee on Finance.

By Representative Russell:

H.B. 372, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW RELATING TO THERAPEUTIC LEAVE FOR MEDICAL ASSISTANCE PATIENTS, is referred to the Committee on Human Resources.

By Representatives Russell and Bowman:

H.B. 373, A BILL TO BE ENTITLED AN ACT TO INCLUDE QUALIFIED DISABLED WORKING INDIVIDUALS IN MEDICARE AS REQUIRED BY FEDERAL LAW, is referred to the Committee on Human Resources.

By Representatives Beall and Church:

H.B. 374, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A PERSON HUNTING OR APPLYING FOR A HUNTING LICENSE TO SIGN A STATEMENT ON A FORM PROVIDED BY THE WILDLIFE RESOURCES COMMISSION CONFIRMING THAT HE HAD A HUNTING LICENSE PRIOR TO THE REQUIREMENT OF A HUNTER SAFETY COURSE, is referred to the Committee on Agriculture.

By Representative Robinson:

H.B. 375, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COUNTY TAX ASSESSOR SHALL MAKE CERTAIN TAXPAYER BUSINESS RECORDS AVAILABLE TO THE EMPLOYMENT SECURITY COMMISSION ON REQUEST, is referred to the Committee on Economic Expansion.

By Representative Robinson:

H.B. 376, A BILL TO BE ENTITLED AN ACT REGARDING MOTOR VEHICLE INSPECTION REQUIREMENTS AND INSPECTION FEES, is referred to the Committee on Transportation.

By Representative Gardner:

H.B. 377, A BILL TO BE ENTITLED AN ACT TO ALLOW THE SECRETARY OF THE DEPARTMENT OF HUMAN RESOURCES TO SECURE ASSISTANCE IN THE RECRUITMENT OF HEALTH CARE PROFESSIONALS, is referred to the Committee on Appropriations.

By Representative Beall:

H.B. 378, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING TRESPASSING FOR PURPOSES OF HUNTING, is referred to the Committee on Judiciary II.

By Representative Flaherty:

H.B. 379, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR HIGHER FINES FOR SPEEDERS DRIVING MORE THAN FIFTEEN MILES PER HOUR OVER THE SPEED LIMIT, is referred to the Committee on Judiciary III.

By Representatives Colton, Bowman, N. J. Crawford, Greenwood, Mercer, Nesbitt, and Warner:

H.B. 380, A BILL TO BE ENTITLED AN ACT TO PROVIDE POST-RETIREMENT ALLOWANCE INCREASES TO CERTAIN RETIRED GENERAL EMPLOYEES, LAW OFFICERS, AND THEIR BENEFICIARIES IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND TO CERTAIN RETIRED LAW OFFICERS AND THEIR BENEFICIARIES IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representatives Beall and H. Hunter:

H.B. 381, A BILL TO BE ENTITLED AN ACT TO COMPLY WITH CONGRESSIONAL CHANGES IN OSHA, is referred to the Committee on Commerce.

By Representative Buchanan:

H.B. 382, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE STACKING OF OVERWEIGHT PENALTIES, is referred to the Committee on Transportation.

By Representatives Barnes and Warner:

H.B. 383, A BILL TO BE ENTITLED AN ACT TO MANAGE FINANCES BETTER AT THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL, is referred to the Committee on Appropriations.

By Representatives Barnes and Warner:

H.B. 384, A BILL TO BE ENTITLED AN ACT TO PROVIDE GREATER FINANCIAL FLEXIBILITY TO THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL, is referred to the Committee on Appropriations.

By Representatives Holmes and Smith:

H.B. 385, A BILL TO BE ENTITLED AN ACT TO AMEND THE MAKEUP OF THE YOUTH ADVISORY COUNCIL, is referred to the Committee on State Government.

By Representative Lilley:

H.B. 386, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS RELATING TO AERONAUTICS, is referred to the Committee on Appropriations.

By Representative Barnes:

H.B. 387, A BILL TO BE ENTITLED AN ACT RELATING TO THE COLLECTION OF HEALTH CARE DEBTS OWED ENTITIES OF THE UNIVERSITY OF NORTH CAROLINA, is referred to the Committee on Judiciary I.

By Representative Barnes:

H.B. 388, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SMALL DEBTS NEED NOT BE TURNED OVER TO THE ATTORNEY GENERAL FOR COLLECTION, is referred to the Committee on Judiciary I.

By Representatives Greenwood, Colton, N. J. Crawford, and Nesbitt:

H.B. 389, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SOUTHERN APPALACHIAN MAINSTREAM, is referred to the Committee on Appropriations.

By Representatives Albertson and Mercer:

H.B. 390, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE FEES FOR PLANT PEST INSPECTION AND CERTIFICATION, is referred to the Committee on Finance.

By Representative Pope:

H.B. 391, A BILL TO BE ENTITLED AN ACT TO CONFORM THE PETITION REQUIREMENTS FOR UNAFFILIATED CANDIDATES TO A RECENT COURT RULING, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Beall, Bowman, and Church:

H.B. 392, A BILL TO BE ENTITLED AN ACT TO EXTEND THE REQUIREMENT THAT HUNTERS WEAR BLAZE ORANGE TO ENCOMPASS THE HUNTING OF OTHER TYPES OF GAME, is referred to the Committee on Agriculture.

By Representatives Fletcher, Buchanan, Flaherty, Huffman, R. Hunter, Isenhower, and Robinson:

H.B. 393, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR WESTERN CAROLINA CENTER, is referred to the Committee on Appropriations.

By Representatives Mercer, Smith, and Warner:

H.J.R. 394, A JOINT RESOLUTION URGING CONGRESS TO CONTINUE WELFARE REFORM TO ENABLE MORE PEOPLE TO AVOID LONG-TERM WELFARE DEPENDENCY, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Hackney:

H.B. 395, A BILL TO BE ENTITLED AN ACT TO ALLOW SUMMARY JUDGMENT FOR ABSOLUTE DIVORCE IN CERTAIN CIRCUMSTANCES, is referred to the Committee on Judiciary III.

By Representative Hackney:

H.B. 396, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW PERTAINING TO ACTIONS FOR ALIMONY OR ALIMONY PENDENTE LITE, is referred to the Committee on Judiciary III.

By Representatives Hackney and Mercer:

H.B. 397, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE COURTS TO EQUITABLY DIVIDE PENSION, RETIREMENT, AND DEFERRED COMPENSATION PLAN BENEFITS, is referred to the Committee on Judiciary III.

By Representatives Hackney, Abernethy, Mercer, and Wood:

H.B. 398, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE JUDGES TO MAKE INTERIM ALLOCATIONS OF ASSETS PENDING A FINAL EQUITABLE DISTRIBUTION JUDGMENT, is referred to the Committee on Judiciary III.

By Representatives Luebke, Barnhill, Bowman, Church, N. J. Crawford, Cunningham, Diamont, Easterling, Ethridge, Fitch, Fletcher, Gamble, Gist, Gottovi, Hardaway, Hensley, Holt, H. Hunter, Hurley, Jeffus, Kennedy, McLawhorn, Michaux, Miller, Oldham, Smith, Wainwright, Warner, and Withrow:

H.B. 399, A BILL TO BE ENTITLED AN ACT TO ESTABLISH PREKINDERGARTEN PROGRAMS IN THE PUBLIC SCHOOLS, is referred to the Committee on Education.

By Representatives Mercer, Hardaway, H. Hunter, and Smith:

H.B. 400, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE BOARD OF MORTUARY SCIENCE PROCEDURES, is referred to the Committee on State Government.

By Representatives Abernethy and Smith:

H.B. 401, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT VENTURE CAPITAL PARTNERSHIPS ARE NOT

REQUIRED TO WITHHOLD TAXES ON DISTRIBUTIONS TO NON-RESIDENT PARTNERS, is referred to the Committee on Finance.

By Representatives Isenhower, Abernethy, Balmer, Barbee, Gray, Grimmer, Tallent, and Wilson:

H.B. 402, A BILL TO BE ENTITLED AN ACT TO PERMIT THE DIVISION OF MOTOR VEHICLES TO CORRECT ITS RECORDS USING FORWARDING ADDRESSES FURNISHED BY THE POSTAL SERVICE, is referred to the Committee on Transportation.

By Representatives Isenhower, Abernethy, Gray, and Grimmer:

H.B. 403, A BILL TO BE ENTITLED AN ACT TO CLARIFY CHARGES MADE FOR COPIES OF COLLISION REPORTS MAINTAINED BY THE DIVISION OF MOTOR VEHICLES, is referred to the Committee on Finance.

By Representatives Privette and Brown:

H.B. 404, A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY TO DRIVE WITHOUT A LICENSE AFTER A LICENSE HAS BEEN SUSPENDED OR REVOKED FOR AN IMPAIRED DRIVING OR CONTROLLED SUBSTANCE VIOLATION, is referred to the Committee on Judiciary III.

By Representative Kimsey:

H.B. 405, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE DEFINITION OF THE TERM "RESIDENT" FOR INCOME TAX PURPOSES, is referred to the Committee on Finance.

By Representatives Anderson, DeVane, and Smith:

H.B. 406, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN TRUCKS REQUIRED TO BE INSPECTED UNDER FEDERAL REGULATIONS FROM HAVING TO ALSO BE INSPECTED UNDER THE STATE INSPECTION PROGRAM, is referred to the Committee on Transportation.

By Representatives Miller and Balmer:

H.B. 407, A BILL TO BE ENTITLED AN ACT TO CONTINUE PERIODIC REVIEW OF ELECTRIC UTILITY FUEL COSTS, is referred to the Committee on Public Utilities.

By Representative Miller:

H.B. 408, A BILL TO BE ENTITLED AN ACT TO AMEND THE CERTIFICATE OF NEED LAW TO IMPROVE THE ABILITY TO PLAN FOR CHEMICAL DEPENDENCY TREATMENT BEDS AND TO MAKE CLEAR THAT THE STATE MEDICAL FACILITIES PLAN LIMITS THE NUMBER OF BEDS OR FACILITIES THAT MAY BE APPROVED, is referred to the Committee on Human Resources.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 52, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF LAW ENFORCEMENT OFFICERS TO ARREST WITHOUT A WARRANT FOR CERTAIN MISDEMEANORS, is read the first time and referred to the Committee on Judiciary III.

S.B. 87, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE GOVERNOR TO APPOINT A "COMPOSER-LAUREATE FOR THE STATE OF NORTH CAROLINA", is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 189, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE AUTHORITY OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES CONCERNING THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS IS THE SAME, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 198, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PROCESSING FEE FOR BAD CHECKS, is read the first time and referred to the Committee on Commerce.

S.B. 205, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION FOR THE UTILITY REGULATORY FEE STATUTE, is read the first time and referred to the Committee on Finance.

S.B. 243, A BILL TO BE ENTITLED AN ACT TO MAKE APPOINTMENTS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

SPEAKER BLUE PRESIDING.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 111, AN ACT TO REMOVE THE SUNSET ON THE MUNICIPAL PARTICIPATION IN IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM. (CHAPTER 21)

S.J.R. 118, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENT OF WILLIAM T. GRAHAM AS COMMISSIONER OF BANKS. (RESOLUTION 8)

CALENDAR

Action is taken on the following:

S.B. 56, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO LEVY A ROOM OCCUPANCY

AND TOURISM DEVELOPMENT TAX, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Balmer, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dockham, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hasty, Hensley, Hightower, Holmes, Holt, Huffman, Jack Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Pope, Ramsey, Redwine, Rhyne, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wainwright, Warner, Wilmoth, Wilson, Wood, and Woodard - 89.

Voting in the negative: Representative Hege.

Excused absences: Representatives Barbee, Beall, Brubaker, Dickson, Gamble, Sam Hunt, Kahl, Lutz, Privette, Rhodes, Wicker, and Withrow - 12.

S.B. 223, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE MONTGOMERY COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN PROPERTY, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 142, A BILL TO BE ENTITLED AN ACT TO APPLY THE REQUIREMENT THAT PLASTIC BAGS DISTRIBUTED AT RETAIL OUTLETS HAVE WRITTEN NOTIFICATION OF RECYCLABILITY ON THE BAG ONLY TO BAGS PURCHASED BY THE RETAILER AFTER 1 JANUARY 1991,** passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Lineberry for the Permanent Subcommittee on Small Business:

H.B. 165, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE MAINTENANCE OF AFFORDABLE HOUSING STOCK, referred to the Standing Committee on Economic Expansion, with an unfavorable recommendation as to bill, favorable as to committee substitute bill.

On motion of Representative Barnhill, the rules are temporarily suspended and the time is extended to 4:00 p.m. today for the introduction of bills recommended by commissions or standing committees and bills prepared by departments, agencies or institutions of the State.

On motion of Representative Jack Hunt, seconded by Representative Rhyne, the House adjourns at 3:45 p.m. to reconvene Monday, April 1 at 7:00 p.m.

THIRTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Monday, April 1, 1991

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker Pro Tempore, Representative Colton.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments, and Calendar reports the Journal of March 28 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Beard, DeVane, Dockham, Ethridge, Grimmer, Sam Hunt, R. Hunter, Kahl, Miller, Rhodes, Warner, and Withrow for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Dawkins for the Committee on Judiciary II:

H.B. 153, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAWS GOVERNING ADMINISTRATIVE HEARINGS AND TO REPEAL THE SUNSET ON THE REVISED ADMINISTRATIVE PROCEDURE ACT, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

S.J.R. 236, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES EARL "JIM" EZZELL, JR., LATE MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

On motion of Representative Jack Hunt, the rules are suspended and the resolution is placed on tonight's Calendar as the first order of business.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 56, AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX. (CHAPTER 22)

S.B. 142, AN ACT TO APPLY THE REQUIREMENT THAT PLASTIC BAGS DISTRIBUTED AT RETAIL OUTLETS HAVE WRITTEN NOTIFICATION OF RECYCLABILITY ON THE BAG ONLY TO BAGS PURCHASED BY THE RETAILER AFTER 1 JANUARY 1991. (CHAPTER 23)

S.B. 223, AN ACT TO AUTHORIZE THE MONTGOMERY COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN PROPERTY. (CHAPTER 24)

H.B. 159, AN ACT TO PREVENT A MUNICIPAL ORDINANCE OR POLICY DIMINISHING WATER OR SEWER SERVICES TO AN ANNEXED AREA WITHIN SIX MONTHS OF NOTICE OF INTENT TO CONSIDER ANNEXATION. (CHAPTER 25)

H.B. 194, AN ACT TO ALLOW THE ELIZABETH CITY-PASQUOTANK COUNTY AIRPORT AUTHORITY TO ENTER INTO A LEASE WITH A FIXED BASE OPERATOR. (CHAPTER 26)

H.B. 215, AN ACT TO MODIFY THE STATUTES GOVERNING THE CUMBERLAND MEMORIAL AUDITORIUM COMMISSION. (CHAPTER 27)

H.B. 247, AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A VOLUNTEER POLICE AUXILIARY FOR THE MECKLENBURG COUNTY POLICE DEPARTMENT. (CHAPTER 28)

H.B. 263, AN ACT TO AUTHORIZE ANSON, MONTGOMERY, AND RICHMOND COUNTIES TO ENTER INTO LONG-TERM CONTRACTS FOR DISPOSAL OF SOLID WASTE. (CHAPTER 29)

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives DeVane, Bowman, N. J. Crawford, and Privette:

H.B. 409, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES OR HIS DESIGNEE SHALL BE AN EX OFFICIO MEMBER OF THE NORTH CAROLINA FARMWORKER COUNCIL, is referred to the Committee on State Government.

By Representatives DeVane, N. J. Crawford, and Privette:

H.B. 410, A BILL TO BE ENTITLED AN ACT TO AMEND THE ENVIRONMENTAL POLICY ACT OF 1971 AND TO MAKE THE ACT PERMANENT, is referred to the Committee on Environment.

By Representatives DeVane, Bowman, N. J. Crawford, and Privette:

H.B. 411, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE GOVERNOR'S COUNCIL ON PHYSICAL FITNESS AND

HEALTH TO SANCTION THE STATE GAMES AND OTHER COMPETITIVE ATHLETIC EVENTS FOR WHICH SANCTIONING BY THE STATE IS REQUIRED, is referred to the Committee on State Government.

By Representatives DeVane, N. J. Crawford, and Privette:

H.B. 412, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "COMMERCIAL" AS APPLIED TO HAZARDOUS WASTE FACILITIES, is referred to the Committee on Environment.

By Representatives DeVane, N. J. Crawford, and Privette:

H.B. 413, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM CIVIL PENALTY WHICH MAY BE ASSESSED FOR VIOLATIONS OF AIR QUALITY STANDARDS OR LIMITATIONS AND TO CORRECT A CROSS-REFERENCE, is referred to the Committee on Environment.

By Representatives Redwine, Barbee, Bowman, Brown, Colton, N. J. Crawford, Flaherty, Greenwood, Lilley, Lutz, Mercer, Nesbitt, Nye, Privette, Rogers, Warner, and Wicker:

H.B. 414, A BILL TO BE ENTITLED AN ACT TO RAISE THE MAXIMUM AMOUNT AND TO LOWER THE SERVICE REQUIREMENT FOR ELIGIBILITY IN THE REGISTER OF DEEDS' SUPPLEMENTAL PENSION FUND, is referred to the Committee on Pensions and Retirement.

By Representatives Redwine, Albertson, Bowen, Bowman, Brubaker, Colton, Culp, H. Hunter, James, Justus, Nye, and Rogers:

H.B. 415, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO RESTORE THE AGRICULTURAL FINANCE AUTHORITY BUDGET, is referred to the Committee on Appropriations.

By Representatives Easterling, Barnhill, Black, Colton, Cunningham, Gardner, Greenwood, Grimmer, Hurley, Jeffus, Jeralds, Justus, Kennedy, Nye, and Stamey:

H.B. 416, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND CORRECTIVE CHANGES TO THE CHILD DAY CARE LAW, is referred to the Committee on Human Resources.

By Representative Kennedy:

H.B. 417, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN ACTION UNDER THE CHAPTER OF LAW CONCERNING DIVORCE AND ALIMONY TO PROTECT THE PROPERTY OF AN INCOMPETENT SPOUSE BUT TO PREVENT THE ENTRY OF A DIVORCE DECREE ON BEHALF OF THE INCOMPETENT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary I.

By Representative Kennedy:

H.B. 418, A BILL TO BE ENTITLED AN ACT TO CODIFY THE COMMON LAW IN RESOLVING INCONSISTENCIES BETWEEN

G.S. 8-83 AND G.S. 1A-1, RULE 32 REGARDING THE ADMISSION OF DEPOSITIONS AT TRIAL AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary I.

By Representative Kennedy:

H.B. 419, A BILL TO BE ENTITLED AN ACT RELATING TO REVIVAL OF WILL PROVISIONS REVOKED BY DIVORCE, ANNULMENT, OR EXECUTION OF A NEW WILL AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary I.

By Representative Kennedy:

H.B. 420, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AMENDMENTS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary I.

By Representative Kennedy:

H.B. 421, A BILL TO BE ENTITLED AN ACT TO CLARIFY G.S. 13-1, TO RESTORE THE CITIZENSHIP OF PERSONS CONVICTED IN ANOTHER STATE ON THE SAME BASIS AS PERSONS CONVICTED IN THIS STATE OR IN FEDERAL COURT, AND TO SIMPLIFY THE PROCEDURE FOR FILING THE CERTIFICATE OF RESTORATION AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary I.

By Representative Ethridge:

H.B. 422, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF THE TERM "OTHER WASTE" AS USED IN THE WATER AND AIR POLLUTION STATUTES, is referred to the Committee on Environment.

By Representative Dickson:

H.B. 423, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MEANING OF "REPAIR" OF A SANITARY SEWAGE SYSTEM, is referred to the Committee on Environment.

By Representative Dickson:

H.B. 424, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A FEE FOR COMPANION ANIMAL CERTIFICATES OF EXAMINATION, is referred to the Committee on Environment.

By Representatives Dickson and Bowman:

H.B. 425, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE HEALTH CARE PERSONNEL TO PROVIDE VOLUNTEER MEDICAL SERVICES AT LOCAL HEALTH DEPARTMENTS AND NONPROFIT COMMUNITY HEALTH CENTERS BY PROVIDING FOR LIMITED TORT LIABILITY PROTECTION, is referred to the Committee on Judiciary II.

By Representatives Hensley, Bowman, and Luebke:

H.B. 426, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT EMPLOYEES BE NOTIFIED IN WRITING OF THE WAGES AND OTHER TERMS OF EMPLOYMENT TO BE RECEIVED FROM THE EMPLOYER, is referred to the Committee on Judiciary III.

By Representatives J. W. Crawford and Bowman:

H.B. 427, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ROLE OF THE ATTORNEY GENERAL'S OFFICE IN COMMITMENT HEARINGS, is referred to the Committee on Judiciary II.

By Representative J. W. Crawford:

H.B. 428, A BILL TO BE ENTITLED AN ACT TO ENHANCE MENTAL HEALTH, MENTAL RETARDATION, AND SUBSTANCE ABUSE CARE IN LOCAL CONFINEMENT FACILITIES, is referred to the Committee on Human Resources.

By Representative J. W. Crawford:

H.B. 429, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, FOR THE PURPOSE OF IMPLEMENTATION OF THE RECOMMENDATIONS FOR MENTAL HEALTH, MENTAL RETARDATION, AND SUBSTANCE ABUSE SERVICES IN JAILS, is referred to the Committee on Appropriations.

By Representative Hardaway:

H.B. 430, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CRIMINAL PENALTIES FOR EMPLOYERS WHO CAUSE TERMINATION OF GROUP LIFE OR HEALTH INSURANCE COVERAGE BY NONPAYMENT OF PREMIUMS AND TO REQUIRE INSURERS TO NOTIFY EMPLOYEES OF SUCH NONPAYMENT PRIOR TO TERMINATION; AND TO PROVIDE FOR CRIMINAL PENALTIES FOR THE FAILURE BY EMPLOYERS WHO SELF-INSURE FOR LIFE OR HEALTH BENEFITS TO TERMINATE COVERAGE OF EMPLOYEES WITHOUT PRIOR NOTICE TO THEIR EMPLOYEES, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Hardaway:

H.B. 431, A BILL TO BE ENTITLED AN ACT TO REPEAL THE EXPIRATION DATE OF THE NORTH CAROLINA MEDICAL DATABASE COMMISSION, is referred to the Committee on Human Resources.

By Representative Hardaway:

H.B. 432, A BILL TO BE ENTITLED AN ACT TO ADOPT MODEL LEGISLATION OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS IN ORDER TO PROMOTE THE

AVAILABILITY OF HEALTH INSURANCE TO SMALL EMPLOYER GROUPS, TO PREVENT ABUSIVE RATING PRACTICES, TO REQUIRE DISCLOSURE OF RATING PRACTICES TO PURCHASERS, TO ESTABLISH RULES FOR CONTINUITY OF COVERAGE FOR EMPLOYERS AND COVERED INDIVIDUALS, AND TO IMPROVE THE EFFICIENCY AND FAIRNESS OF THE SMALL GROUP HEALTH INSURANCE MARKETPLACE, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Hardaway:

H.B. 433, A BILL TO BE ENTITLED AN ACT TO REGULATE MULTIPLE EMPLOYER WELFARE ARRANGEMENTS THAT ARE NOT SUBJECT TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT, is referred to the Committee on Commerce.

By Representative Hardaway:

H.B. 434, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS SUBSTANTIVE AMENDMENTS TO THE INSURANCE LAWS AND OTHER LAWS RELATED TO THE DEPARTMENT OF INSURANCE, is referred to the Committee on Commerce.

By Representatives Huffman, Gardner, Justus, and Stamey:

H.B. 435, A BILL TO BE ENTITLED AN ACT TO REWRITE AND AMEND THE MOTOR VEHICLE LAWS RELATING TO HANDICAPPED PERSONS, is referred to the Committee on Judiciary III.

By Representatives Justus, Anderson, Beard, Bowman, Brubaker, Buchanan, N. J. Crawford, Diamont, Dickson, Dockham, Fletcher, Gamble, Gardner, Hege, Holmes, Howard, Sam Hunt, Hurley, Jeffus, Kimsey, Ligon, Loflin, McLawhorn, Mercer, Rhodes, Russell, Stewart, Warner, and Wilson:

H.B. 436, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALL STATE CERTIFIED LAW ENFORCEMENT OFFICERS TO ARREST FOR DRUG OFFENSES, is referred to the Committee on Judiciary I.

By Representatives Robinson and Bowman:

H.B. 437, A BILL TO BE ENTITLED AN ACT TO CREATE A CIVIL PENALTY FOR OPERATING OVERDIMENSION VEHICLES OR COMBINATIONS OF VEHICLES WITHOUT OR IN VIOLATION OF A PERMIT, is referred to the Committee on Transportation.

By Representative Robinson:

H.B. 438, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES TO THE EMPLOYMENT SECURITY LAW, is referred to the Committee on Economic Expansion.

By Representative Robinson:

H.B. 439, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE EMPLOYMENT SECURITY LAW, is referred to the Committee on Economic Expansion.

By Representative Russell:

H.B. 440, A BILL TO BE ENTITLED AN ACT TO ALLOW REPRESENTATIVES DESIGNATED BY THE COUNTY DIRECTOR OF SOCIAL SERVICES TO ACT ON BEHALF OF THE COUNTY DIRECTOR OF SOCIAL SERVICES, is referred to the Committee on Human Resources.

By Representatives N. J. Crawford, Colton, and Greenwood:

H.B. 441, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TWO AWARDS FOR PREEMINENT ACCOMPLISHMENT MAY BE MADE TO NATIVE-BORN NORTH CAROLINIANS RESIDING OUTSIDE THE STATE, is referred to the Committee on State Government.

By Representatives Wicker, Bowman, Hensley, and Privette:

H.B. 442, A BILL TO BE ENTITLED AN ACT TO REQUIRE NOTIFICATION TO THE DISTRICT ATTORNEY, THE VICTIM, THE VICTIM'S FAMILY, AND THE ARRESTING LAW ENFORCEMENT AGENCY WHENEVER A PRISONER IS BEING CONSIDERED FOR PAROLE, is referred to the Committee on Judiciary I.

By Representative Wicker:

H.B. 443, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA FRANCHISE INVESTMENT ACT, is referred to the Committee on Judiciary I.

By Representative Brawley:

H.B. 444, A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING OF INCOME TAXES FROM SALES OF REAL PROPERTY AND ASSOCIATED TANGIBLE PERSONAL PROPERTY BY NONRESIDENTS, is referred to the Committee on Finance.

By Representative Brawley:

H.B. 445, A BILL TO BE ENTITLED AN ACT TO ALLOW DEPARTMENT OF REVENUE EMPLOYEES TO LEVY ON TAXPAYERS' PERSONAL PROPERTY TO COLLECT TAXES TO THE SAME EXTENT AS A LOCAL TAX COLLECTOR, is referred to the Committee on Judiciary II.

By Representative Brawley:

H.B. 446, A BILL TO BE ENTITLED AN ACT TO INCREASE THE GIFT TAX LIFETIME EXEMPTION FOR GIFTS TO CLASS A DONEES FROM \$100,000 TO \$500,000, is referred to the Committee on Finance.

By Representatives Rhyne, Dickson and Rhodes:

H.B. 447, A BILL TO BE ENTITLED AN ACT TO EXPAND THE NORTH CAROLINA BOARD OF SCIENCE AND TECHNOLOGY, is referred to the Committee on Science and Technology.

By Representatives Colton, N. J. Crawford, Ethridge, Gottovi, Greenwood, Hackney, Judy Hunt, Luebke, Nesbitt, and Payne:

H.B. 448, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF STOP-WORK ORDERS FOR VIOLATIONS OF THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973, is referred to the Committee on Environment.

By Representatives Colton, N. J. Crawford, Diamont, Ethridge, Gottovi, Greenwood, Hackney, Judy Hunt, Luebke, Nesbitt, Payne, and Stamey:

H.B. 449, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE SEDIMENTATION POLLUTION CONTROL ACT, is referred to the Committee on Environment.

By Representatives R. Hunter and Bowman:

H.B. 450, A BILL TO BE ENTITLED AN ACT TO UPDATE AND CLARIFY THE TRADEMARK REGISTRATION ACT, is referred to the Committee on Judiciary III.

By Representatives Loflin (by request); Privette:

H.B. 451, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE DEPARTMENT OF TRANSPORTATION TO ACQUIRE HIGHWAY RIGHTS-OF-WAY WITHOUT OTHER LICENSES, is referred to the Committee on Transportation.

By Representatives Green, Church, Oldham, and Wainwright:

H.B. 452, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON ANNUAL FEES CHARGED BY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO SUPPORT PUBLIC HEALTH PROGRAMS, AND TO EXEMPT NUTRITION PROGRAMS FOR THE ELDERLY FROM SUCH FEES, is referred to the Committee on Human Resources.

By Representative Michaux:

H.B. 453, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE WAGE AND HOUR ACT, is referred to the Committee on Judiciary II.

By Representative Michaux:

H.B. 454, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE TO ASSIST IN THE ENFORCEMENT OF THE WAGE AND HOUR ACT, is referred to the Committee on Appropriations.

By Representative Michaux:

H.B. 455, A BILL TO BE ENTITLED AN ACT TO CONFORM CERTAIN PROVISIONS OF THE WAGE AND HOUR ACT TO FEDERAL LAW, is referred to the Committee on Economic Expansion.

By Representatives Michaux, Kennedy, and Stamey:

H.B. 456, A BILL TO BE ENTITLED AN ACT TO AMEND THE WAGE AND HOUR ACT TO PROVIDE FOR ATTORNEYS' FEES AND LIQUIDATED DAMAGES UNDER CERTAIN CIRCUMSTANCES, is referred to the Committee on Judiciary II.

By Representatives Morgan, Bowman, Privette, and Wilson:

H.B. 457, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE TEMPORARY OR PERMANENT DENIAL OF STATE AID FOR HIGHER EDUCATION FOR CERTAIN DRUG CONVICTIONS, is referred to the Committee on Judiciary III.

By Representatives McAllister, Beard, Hurley, Jeralds, Wainwright, and Warner:

H.B. 458, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CUMBERLAND COUNTY TO COLLECT SOLID WASTE FEES IN THE SAME MANNER AS AD VALOREM TAXES, is referred to the Committee on Finance.

By Representatives Rogers and Bowman:

H.B. 459, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT FOR THE NORTH CAROLINA EMPLOYMENT AND TRAINING PROGRAM, is referred to the Committee on Appropriations.

By Representatives Miller and Lineberry:

H.B. 460, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE STATUTES GOVERNING HEALTH MAINTENANCE ORGANIZATIONS, is referred to the Committee on Commerce.

By Representative Miller:

H.B. 461, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW THAT DETERMINES WHEN A WARRANTY RELATING TO REAL PROPERTY CONSTITUTES A CONTRACT OF INSURANCE, is referred to the Committee on Judiciary II.

By Representative Miller:

H.B. 462, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DEPARTMENT OF REVENUE EMPLOYEES TO SERVE CIVIL SUMMONSES AND OTHER CIVIL PAPERS AND TO EXECUTE SEARCH WARRANTS, is referred to the Committee on Judiciary II.

By Representative Justus:

H.B. 463, A BILL TO BE ENTITLED AN ACT TO ADD ADDITIONAL ANABOLIC STEROIDS TO THE LIST OF CONTROLLED SUBSTANCES AND TO MAKE OTHER CHANGES TO CONFORM STATE LAW WITH THE FEDERAL LAW REGARDING THE

CONTROL OF ANABOLIC STEROIDS, is referred to the Committee on Judiciary I.

By Representatives Thompson, James, and Mercer:

H.B. 464, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FEES PAYABLE BY SEED GROWERS, is referred to the Committee on Finance.

By Representative Thompson:

H.B. 465, A BILL TO BE ENTITLED AN ACT TO LIMIT THE SALES OF MALT BEVERAGES IN THE CITY OF COLUMBIA, TYRRELL COUNTY, is referred to the Committee on Local and Regional Government I.

By Representatives Thompson, Albertson, Anderson, Brawley, Brown, Brubaker, Buchanan, Colton, Creech, Dawkins, Dickson, Easterling, Ethridge, Flaherty, Holt, Howard, Jack Hunt, James, Jordan, McLaughlin, McLawhorn, Mercer, Morgan, Payne, Privette, Ramsey, Rhodes, Rogers, Smith, Stamey, Stewart, Tallent, Wainwright, Wilson, and Wood:

H.B. 466, A BILL TO BE ENTITLED AN ACT TO MANDATE CRIMINAL RECORD CHECKS OF CHILD DAY CARE PROVIDERS, is referred to the Committee on Judiciary III.

By Representatives Albertson, Loflin, and Mercer:

H.B. 467, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "PESTICIDE APPLICATOR", is referred to the Committee on Agriculture.

By Representatives Albertson and Mercer:

H.B. 468, A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERMIT TO SELL BEES AND TO AUTHORIZE THE COMMISSIONER OF AGRICULTURE TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF THE BEE AND HONEY ACT, is referred to the Committee on Agriculture.

By Representative Rhyne:

H.B. 469, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE TRANSFER OF PROPERTY OWNED BY THE STATE TO THE HAZARDOUS WASTE MANAGEMENT COMMISSION IF THE COMMISSION SELECTS A PREFERRED SITE FOR A HAZARDOUS WASTE FACILITY THAT INCLUDES PROPERTY OWNED BY THE STATE, WITHOUT THE APPROVAL OF THE GOVERNOR AND COUNCIL OF STATE FOR SUCH TRANSFER, is referred to the Committee on Environment.

By Representative Privette:

H.B. 470, A BILL TO BE ENTITLED AN ACT TO INCREASE THE SANCTIONS FOR A CONVICTION OF SUBSEQUENT POSSESSIONS OF ONE OUNCE OR LESS OF MARIJUANA, is referred to the Committee on Judiciary III.

By Representative Privette:

H.B. 471, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES GOVERNING BINGO, is referred to the Committee on Judiciary III.

By Representative Privette:

H.B. 472, A BILL TO BE ENTITLED AN ACT TO DEFINE THE TERM "REPAIR" AS USED IN RELATION TO THE REGULATION OF SANITARY SEWAGE SYSTEMS, is referred to the Committee on Environment.

By Representative Pope:

H.B. 473, A BILL TO BE ENTITLED AN ACT TO ESTABLISH POLICIES FOR PURCHASES BY PUBLIC LIBRARIES AND FOR THE USE OF PUBLIC LIBRARY FACILITIES, is referred to the Committee on Judiciary II.

By Representatives Payne, Luebke, and McLawhorn:

H.B. 474, A BILL TO BE ENTITLED AN ACT TO PERMIT THE COMMISSIONER OF LABOR TO IMPOSE PENALTIES AGAINST PUBLIC AGENCIES FOR OSHA VIOLATIONS, is referred to the Committee on Judiciary II.

By Representative Payne:

H.B. 475, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE NORTH CAROLINA ENERGY ASSURANCE STUDY COMMISSION, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Payne, H. Hunter, and McLawhorn:

H.B. 476, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE PUBLIC HEALTH STUDY COMMISSION, is referred to the Committee on Human Resources.

By Representatives Payne and Stamey:

H.B. 477, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STERILIZATION OF CATS AND DOGS ADOPTED FROM OR SOLD BY ANIMAL SHELTERS, is referred to the Committee on Human Resources.

By Representative Payne:

H.B. 478, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE TYPE OF DEVICE COVERED BY THE AMUSEMENT DEVICE SAFETY ACT, is referred to the Committee on Economic Expansion.

By Representative Payne:

H.B. 479, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONSENT TO ADOPTION IS NOT REVOCABLE AFTER A CERTAIN PERIOD OF TIME, is referred to the Committee on Judiciary II.

By Representatives Gottovi, Hensley, Jeffus, and Payne:

H.B. 480, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SHORELINE PROTECTION AT FORT FISHER, is referred to the Committee on Appropriations.

By Representative Beard:

H.B. 481, A BILL TO BE ENTITLED AN ACT TO RAISE MISCELLANEOUS FEES COLLECTED BY THE DEPARTMENT OF INSURANCE, is referred to the Committee on Finance.

By Representative Beard:

H.B. 482, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAWS ON THIRD PARTY ADMINISTRATORS, is referred to the Committee on Commerce.

By Representatives Beard and Bowman:

H.B. 483, A BILL TO BE ENTITLED AN ACT TO MAKE IMPROVEMENTS IN THE FINANCIAL REGULATION OF CONTINUING CARE FACILITIES, is referred to the Committee on Commerce.

By Representative Beard:

H.B. 484, A BILL TO BE ENTITLED AN ACT THAT, IN ORDER TO ACHIEVE GREATER JUDICIAL EFFICIENCY, DIRECTS THE SUPREME COURT TO CONSIDER ISSUING RULES THAT WILL ALLOW THE COURT TO RULE ON MOST TYPES OF MOTIONS WITHOUT A HEARING WHEN THE OPPOSING PARTY FAILS TO RESPOND TO THE MOTION WITHIN THIRTY DAYS, is referred to the Committee on Judiciary II.

By Representative Fletcher:

H.B. 485, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A NORTH CAROLINA INTERPRETER CLASSIFICATION SYSTEM APPLICATION AND ASSESSMENT FEE, is referred to the Committee on Finance.

By Representatives Anderson, Bowman, Fitch, H. Hunter, and Privette:

H.B. 486, A BILL TO BE ENTITLED AN ACT TO INCREASE THE ANNUAL TAX ON STATE LICENSES REQUIRED FOR HOLDERS OF RETAIL ABC PERMITS, is referred to the Committee on Finance.

By Representative Anderson:

H.B. 487, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ALLOWING TAX CREDITS FOR QUALIFIED BUSINESS INVESTMENTS, is referred to the Committee on Finance.

By Representatives Nesbitt, Diamont, H. Hunter, Kennedy, and Oldham:

H.B. 488, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT

APPROPRIATIONS FROM THE GENERAL FUND, OF A CAPITAL IMPROVEMENTS PROJECT AT WINSTON-SALEM STATE UNIVERSITY, is referred to the Committee on Appropriations.

By Representatives Nesbitt and Diamont:

H.B. 489, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 745 OF THE 1989 SESSION LAWS TO INCREASE THE AUTHORIZED PROJECT COST OF A WHOLLY SELF-LIQUIDATING RESEARCH FACILITY TO BE LEASED TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BY THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, is referred to the Committee on Appropriations.

By Representatives Nesbitt, Diamont, Hensley, and Redwine:

H.B. 490, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 965 OF THE 1989 SESSION LAWS TO PROVIDE CHANGES ONLY WITH RESPECT TO A PROJECT WHOLLY SELF-LIQUIDATING, is referred to the Committee on Appropriations.

By Representatives Nesbitt, Diamont, and H. Hunter:

H.B. 491, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL, is referred to the Committee on Appropriations.

By Representatives Nesbitt, H. Hunter, and Rogers:

H.B. 492, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE TRAINING AND CERTIFICATION STANDARDS OF PERSONS SERVING IN LEADERSHIP POSITIONS IN THE PUBLIC SCHOOLS, is referred to the Committee on Appropriations.

By Representatives Nesbitt, H. Hunter, and Rogers:

H.B. 493, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STATE ASSISTANCE AND INTERVENTION IN LOW PERFORMING SCHOOL UNITS, is referred to the Committee on Education.

By Representatives Nesbitt, Bowman, Hensley, and H. Hunter:

H.B. 494, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE BUSINESS COMMUNITY TO FACILITATE STUDENT ACHIEVEMENT, is referred to the Committee on Education.

By Representatives Nesbitt, H. Hunter, and Rogers:

H.B. 495, A BILL TO BE ENTITLED AN ACT REGARDING THE DEVELOPMENT OF DUAL PERSONNEL EVALUATION PROCESSES FOR THE PUBLIC SCHOOLS, is referred to the Committee on Education.

By Representatives Nesbitt, Bowman, H. Hunter, and Redwine:

H.B. 496, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE STUDENT ACHIEVEMENT ACT OF 1991, is referred to the Committee on Education.

By Representatives Barnhill, Black, Colton, Dickson, Easterling, Esposito, Fitch, Fussell, Green, Greenwood, H. Hunter, Isenhower, Jeralds, Wainwright, and Woodard:

H.B. 497, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES FOR ALLOCATION TO ELIGIBLE COUNTIES TO INCREASE SALARY RANGES OF CERTAIN PUBLIC HEALTH WORKERS, is referred to the Committee on Appropriations.

By Representatives Barnhill, Black, Colton, Dickson, Easterling, Esposito, Fitch, Fussell, Green, Greenwood, Isenhower, Jeralds, Wainwright, and Woodard:

H.B. 498, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE QUALIFICATIONS FOR THE POSITION OF LOCAL HEALTH DIRECTOR, AND TO ESTABLISH A HEALTH DIRECTOR QUALIFICATION REVIEW COMMITTEE, is referred to the Committee on Human Resources.

By Representatives Barnhill, Black, Colton, Dickson, Easterling, Esposito, Fitch, Fussell, Green, Greenwood, Isenhower, Jeralds, Wainwright, and Woodard:

H.B. 499, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MISSION AND ESSENTIAL SERVICES OF THE PUBLIC HEALTH SYSTEM, is referred to the Committee on Human Resources.

By Representatives Gardner, Esposito, Russell, and Wilson:

H.B. 500, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF HUMAN RESOURCES TO HAVE THE NAMES OF DELINQUENT CHILD SUPPORT OBLIGORS PUBLISHED, is referred to the Committee on Judiciary II.

By Representatives Hurley, Bowie, Grimmer, Jeralds, McAllister, and Warner:

H.B. 501, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PUBLIC ENTERPRISE LAW WITH RESPECT TO STORMWATER UTILITIES ESTABLISHED BY CITIES AND COUNTIES AND TO GIVE WATER AND SEWER AUTHORITIES THE ABILITY TO OPERATE AND FINANCE STORMWATER UTILITIES, is referred to the Committee on Judiciary I.

By Representatives Hurley, Jeralds, and McAllister:

H.B. 502, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF THE MUSEUM OF

THE CAPE FEAR HISTORICAL COMPLEX, is referred to the Committee on Appropriations.

By Representative Abernethy:

H.B. 503, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE BANKING LAWS, is referred to the Committee on Commerce.

By Representative Abernethy:

H.B. 504, A BILL TO BE ENTITLED AN ACT TO REGULATE BANK HOLDING COMPANIES, is referred to the Committee on Commerce.

By Representatives Green and Hensley:

H.B. 505, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING RESPITE CARE, is referred to the Committee on Human Resources.

By Representatives Esposito, Bowman, Colton, Gardner, Judy Hunt, H. Hunter, and Luebke:

H.B. 506, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW PROVIDING FOR THE PREVENTION OF LEAD POISONING IN CHILDREN, is referred to the Committee on Environment.

By Representative Kerr:

H.B. 507, A BILL TO BE ENTITLED AN ACT TO PROVIDE RULE-MAKING AUTHORITY TO THE NORTH CAROLINA LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT AUTHORITY FOR COMPENSATING LANDOWNERS FOR LOSS OF VALUE IN PROPERTY DIRECTLY RESULTING FROM THE SITING OR OPERATION OF A LOW-LEVEL RADIOACTIVE WASTE FACILITY AND TO AMEND CERTAIN PROVISIONS OF CHAPTER 104G OF THE GENERAL STATUTES RELATING TO TAXES SO AS TO INCREASE THE BENEFITS AVAILABLE TO THE HOST COUNTY OF A LOW-LEVEL RADIOACTIVE WASTE DISPOSAL FACILITY, is referred to the Committee on Environment.

By Representatives Huffman, Bowman, Ligon, and Wilson:

H.B. 508, A BILL TO BE ENTITLED AN ACT TO CREATE THE FELONY OFFENSE OF FORTIFYING A STRUCTURE USED FOR THE ILLEGAL SALE, DELIVERY, MANUFACTURE, OR POSSESSION OF A CONTROLLED SUBSTANCE FOR THE PURPOSE OF SUPPRESSING OR IMPEDING LAW ENFORCEMENT ENTRY, is referred to the Committee on Judiciary III.

By Representative Flaherty:

H.B. 509, A BILL TO BE ENTITLED AN ACT TO CREATE THE STATE PERSONNEL LIABILITY STUDY COMMISSION, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Flaherty and Gardner:

H.B. 510, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMPLIANCE WITH CHILD SUPPORT GUIDELINES IS A SUFFICIENT CHANGE OF CIRCUMSTANCES, is referred to the Committee on Judiciary III.

By Representatives Flaherty and Gardner:

H.B. 511, A BILL TO BE ENTITLED AN ACT TO CHANGE THE BURDEN OF PROOF STANDARD IN CIVIL PATERNITY ACTIONS, is referred to the Committee on Judiciary III.

By Representative Flaherty:

H.B. 512, A BILL TO BE ENTITLED AN ACT TO RATIFY THE PROCEDURE FOR APPOINTING THE MEMBERS OF THE SEDIMENTATION CONTROL COMMISSION IN ACCORDANCE WITH AN OPINION OF THE ATTORNEY GENERAL DATED JULY 10, 1974, is referred to the Committee on State Government.

By Representatives Flaherty and H. Hunter:

H.B. 513, A BILL TO BE ENTITLED AN ACT TO CREATE THE MISDEMEANOR OFFENSE OF ETHNIC INTIMIDATION AND TO ADD ETHNIC ANIMOSITY AS AN AGGRAVATING FACTOR TO BE CONSIDERED IN FELONY SENTENCES, is referred to the Committee on Judiciary III.

By Representatives Flaherty and Gardner:

H.B. 514, A BILL TO BE ENTITLED AN ACT TO MAKE THE FAILURE TO WEAR A SEAT BELT ADMISSIBLE IN CRIMINAL TRIALS, is referred to the Committee on Judiciary III.

By Representatives Sam Hunt and Bowman:

H.B. 515, A BILL TO BE ENTITLED AN ACT TO MAKE SPEEDING IN A HIGHWAY WORK ZONE A MISDEMEANOR, TO IMPOSE A MINIMUM FINE FOR RECKLESS DRIVING IN A HIGHWAY WORK ZONE, AND TO PROHIBIT THE IMPOSITION OF CERTAIN FINES FOR RECKLESS DRIVING IN A WORK ZONE UNLESS A SIGN ADVISES MOTORISTS OF THE FINES, is referred to the Committee on Judiciary III.

By Representatives Sam Hunt and Bowman:

H.B. 516, A BILL TO BE ENTITLED AN ACT REQUIRING TRAFFIC SIGNS AND OTHER TRAFFIC CONTROL DEVICES ON ALL HIGHWAYS AND PUBLIC VEHICULAR AREAS TO CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, is referred to the Committee on Transportation.

By Representatives Barnes, H. Hunter, Jones, and Kerr:

H.B. 517, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PAROLE COMMISSION TO PAROLE CERTAIN

MISDEMEANANTS BUT CONTINUE TO SUPERVISE THEM FOR A PERIOD TO BE DETERMINED BY THE COMMISSION, TO GIVE PAROLE VIOLATORS CREDIT FOR TIME SPENT SUCCESSFULLY IN THE COMMUNITY ON PAROLE, AND TO MAKE COMMUNITY SERVICE PAROLE FLEXIBLE BY ALLOWING THE PAROLE COMMISSION TO DETERMINE THE AMOUNT OF SERVICE AND TIME PERIOD FOR SERVICE, is referred to the Committee on Judiciary I.

By Representative Barnes:

H.B. 518, A BILL TO BE ENTITLED AN ACT TO AMEND BENEFITS OF THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, is referred to the Committee on Public Employees.

By Representatives Wainwright, Fitch, and H. Hunter:

H.B. 519, A BILL TO BE ENTITLED AN ACT REQUIRING EMPLOYERS TO REIMBURSE EMPLOYMENT AGENCY FEES UNDER CERTAIN CIRCUMSTANCES, is referred to the Committee on Economic Expansion.

By Representatives Payne and McLawhorn:

H.B. 520, A BILL TO BE ENTITLED AN ACT REGARDING LIMITATION OF LIABILITY FOR PERSONS RESPONDING TO OIL SPILLS, is referred to the Committee on Judiciary II.

By Representatives Stamey and James:

H.B. 521, A BILL TO BE ENTITLED AN ACT TO INCREASE THE BORROWING AUTHORITY OF THE BOARD OF AGRICULTURE FOR STATE FAIR IMPROVEMENTS, is referred to the Committee on Finance.

By Representative Dockham:

H.B. 522, A BILL TO BE ENTITLED AN ACT TO CHANGE THE AUTHORITY OF THE COURT TO INSTITUTE CIVIL PROCEEDINGS FOR CONTEMPT FROM PERMISSIVE TO MANDATORY WHEN THE PARENT OF A JUVENILE ADJUDICATED AS DELINQUENT, UNDISCIPLINED, ABUSED, NEGLECTED, OR DEPENDENT FAILS TO COMPLY WITH THE ORDERS OF THE COURT OVER THE PARENT, is referred to the Committee on Judiciary II.

By Representatives Colton and Kerr (Co-sponsors); Bowman:

H.B. 523, A BILL TO BE ENTITLED AN ACT TO PROVIDE A UNIFORM PROCEDURE FOR THE SITING OF ELECTRIC TRANSMISSION LINES AS RECOMMENDED BY THE UTILITIES COMMISSION, is referred to the Committee on Public Utilities.

By Representative Colton:

H.B. 524, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF CULTURAL RESOURCES MAY

CONTRACT WITH A NONPROFIT CORPORATION FOR THE MANAGEMENT OF FACILITIES TO PROVIDE FOOD AND BEVERAGES AT THE NORTH CAROLINA MUSEUM OF HISTORY, is referred to the Committee on State Government.

By Representative Colton:

H.B. 525, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DUTIES OF THE MUSEUM OF HISTORY REGARDING THE ACCESSION OF HISTORICAL OBJECTS LOCATED IN THE EXECUTIVE MANSION AND OTHER STATE-OWNED BUILDINGS, is referred to the Committee on State Government.

By Representatives Justus, Anderson, Beard, Bowen, Bowman, N. J. Crawford, Culp, Fletcher, Gardner, Hensley, Howard, Isenhower, Jeralds, Kimsey, Ligon, Lutz, McLawhorn, Privette, Robinson, Russell, and Wilson:

H.B. 526, A BILL TO BE ENTITLED AN ACT TO INCREASE RESTRICTIONS FOR SELLING DRUGS TO YOUTHS WITHIN ONE THOUSAND FEET OF SCHOOL, is referred to the Committee on Judiciary I.

By Representatives Justus, Dockham, Gardner, Hege, Howard, Huffman, Privette, Russell, and Wilson:

H.B. 527, A BILL TO BE ENTITLED AN ACT TO PROVIDE EMERGENCY COMMITMENT OF VIOLENT PERSONS SUFFERING FROM SUBSTANCE ABUSE UNDER THE SAME PROCEDURES AVAILABLE FOR VIOLENT PERSONS WHO ARE MENTALLY ILL, is referred to the Committee on Judiciary I.

By Representatives DeVane and Bowman:

H.B. 528, A BILL TO BE ENTITLED AN ACT TO AMEND THE FREQUENCY OF REPORTS PREPARED FOR THE GENERAL ASSEMBLY AND VARIOUS COMMISSIONS AND COMMITTEES OF THE GENERAL ASSEMBLY BY AGENCIES, BOARDS, COMMISSIONS, AND DEPARTMENTS AS SPECIFIED, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives DeVane, Bowman, Buchanan, N. J. Crawford, and Privette:

H.B. 529, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE UNDERGROUND STORAGE TANK PROGRAM, is referred to the Committee on Appropriations.

By Representatives DeVane and Buchanan:

H.B. 530, A BILL TO BE ENTITLED AN ACT MAKING VARIOUS AMENDMENTS TO CHAPTER 85B OF THE GENERAL STATUTES RELATING TO AUCTIONS AND AUCTIONEERS, is referred to the Committee on Judiciary II.

By Representatives Isenhower, Barbee, Barnhill, Beall, Beard, Bowen, Buchanan, Colton, J. W. Crawford, Culp, Fitch, Flaherty,

Gardner, Gottovi, Grimmer, Judy Hunt, H. Hunter, Jeralds, Justus, Lewis, Ligon, Lilley, Mercer, Privette, Redwine, Rogers, and Russell:

H.B. 531, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR MENTAL HEALTH STUDY COMMISSION AND COALITION '91 PLANS FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE SERVICES IN NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representatives Isenhower, Abernethy, Balmer, Barnhill, Bowie, Bowman, J. W. Crawford, Culp, Esposito, Gardner, Gottovi, Gray, Grimmer, Jones, Lewis, Ligon, Russell, and Wilson:

H.B. 532, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE SERVICES TO ESTABLISH SECURITY REQUIREMENTS FOR CONTROLLED SUBSTANCES, is referred to the Committee on Human Resources.

By Representatives Isenhower, Abernethy, Balmer, Barbee, Barnhill, Beard, Bowie, J. W. Crawford, Culp, Esposito, Gardner, Gottovi, Grimmer, Jack Hunt, Jones, Lewis, Ligon, Lutz, Russell, Wilson, and Woodard:

H.B. 533, A BILL TO BE ENTITLED AN ACT FURTHER CONTINUING THE MENTAL HEALTH STUDY COMMISSION, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives R. Hunter and Hensley:

H.B. 534, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE VICTIMS COMPENSATION ACT, is referred to the Committee on Judiciary III.

By Representative R. Hunter:

H.B. 535, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE ENFORCEMENT PROVISIONS OF THE NORTH CAROLINA SECURITIES ACT AND THE INVESTMENT ADVISERS ACT, is referred to the Committee on Judiciary III.

By Representative Payne:

H.B. 536, A BILL TO BE ENTITLED AN ACT TO REDEFINE STATUTORY RAPE AND THE AGE OF CONSENT, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Stamey, Chapin, Gottovi, and Smith:

H.B. 537, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE NORTH CAROLINA MARINE SCIENCE COUNCIL, TO CREATE THE NORTH CAROLINA COUNCIL ON OCEAN AFFAIRS, AND TO REQUIRE THE OFFICE OF MARINE AFFAIRS TO ADMINISTER THE NORTH CAROLINA AQUARIUMS, is referred to the Committee on State Government.

By Representatives Hege, Dockham, Huffman, Justus, Ligon, Pope, Privette, Rhyne, Wilson, and Wood:

H.B. 538, A BILL TO BE ENTITLED AN ACT PROVIDING FOR BLOCK GRANT FUNDING OF PUBLIC EDUCATION FUNDS TO LOCAL SCHOOL DISTRICTS, is referred to the Committee on Appropriations.

By Representatives Hege, Dockham, and Pope:

H.B. 539, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE USE OF TRIPLICATE PRESCRIPTION PADS TO PREVENT THE ILLEGAL SALE OF PRESCRIPTION DRUGS, is referred to the Committee on Human Resources.

By Representatives Russell and Wilson:

H.B. 540, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NEWBORNS WHO WERE EXPOSED TO ILLICIT DRUG OR ALCOHOL PRIOR TO BIRTH ARE NEGLECTED UNDER G.S. 7A-517, is referred to the Committee on Judiciary II.

By Representatives DeVane, N. J. Crawford, and Privette:

H.B. 541, A BILL TO BE ENTITLED AN ACT TO REQUIRE DISCLOSURE AND RECORDATION OF ENVIRONMENTAL LIMITATIONS AND LIABILITIES, is referred to the Committee on Environment.

By Representative Barnes:

H.B. 542, A BILL TO BE ENTITLED AN ACT TO BEGIN THE PROCESS OF ADOPTING A REFORMED, UNIVERSAL, STATE-ADMINISTERED CHILD SUPPORT SYSTEM IN NORTH CAROLINA, is referred to the Committee on Human Resources.

By Representative Brawley:

H.B. 543, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE BOUNDARIES OF THE MOORESVILLE GRADED SCHOOL DISTRICT, is referred to the Committee on Local and Regional Government II.

By Representative Brawley:

H.B. 544, A BILL TO BE ENTITLED AN ACT CREATING A CIVIL PENALTY FOR BUYING OR SELLING NON-TAX-PAID FUEL, is referred to the Committee on Judiciary III.

By Representative Stewart:

H.B. 545, A BILL TO BE ENTITLED AN ACT TO CHANGE THE AUDITS OF ABC PROFITS IN THE TOWN OF ANGIER FROM QUARTERLY TO ANNUALLY, is referred to the Committee on Local and Regional Government II.

By Representatives Miller, Abernethy, Albertson, Balmer, Barbee, Beall, Beard, Bowen, Bowie, Bowman, Chapin, J. W. Crawford, Culp,

Esposito, Fletcher, Fussell, Gardner, Gottovi, Gray, Green, Greenwood, Holmes, Jack Hunt, Judy Hunt, H. Hunter, Hurley, Isenhower, Jones, Kimsey, Ligon, Lilley, Loflin, McLawhorn, Mercer, Nye, Ramsey, Robinson, Russell, Smith, Stamey, Stewart, Wainwright, Wilson, and Woodard:

H.B. 546, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA BIRTH-RELATED NEUROLOGICAL IMPAIRMENT PROGRAM AND THE NORTH CAROLINA BIRTH-RELATED NEUROLOGICAL IMPAIRMENT TRUST FUND, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representative Miller:

H.B. 547, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PAYMENT OF EXCESS DAMAGES AGAINST A STATE EMPLOYEE FOR COLLECTING OR ADMINISTERING AN UNCONSTITUTIONAL TAX, is referred to the Committee on Judiciary II.

By Representative Miller:

H.B. 548, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ENABLE THE AGENCY FOR PUBLIC TELECOMMUNICATIONS TO INCREASE COVERAGE OF THE LEGISLATURE, is referred to the Committee on Appropriations.

By Representatives Fitch, H. Hunter, and Stamey:

H.B. 549, A BILL TO BE ENTITLED AN ACT TO PROVIDE CLARIFICATION ON THE APPLICATION OF THE VARIOUS PROVISIONS OF CHAPTER 126 OF THE GENERAL STATUTES TO THE DIFFERENT CATEGORIES OF STATE EMPLOYEES, is referred to the Committee on Public Employees.

By Representatives Rogers, Albertson, Buchanan, Culp, James, Jordan, Lilley, Lutz, McLawhorn, Russell, Thompson, and Wilson:

H.B. 550, A BILL TO BE ENTITLED AN ACT TO CREATE AN AGRICULTURAL FAIRS COUNCIL IN THE DEPARTMENT OF AGRICULTURE, is referred to the Committee on State Government.

By Representatives DeVane, Bowman, N. J. Crawford, H. Hunter, and Privette:

H.B. 551, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE REQUIREMENTS OF THE 1990 AMENDMENTS TO THE FEDERAL CLEAN AIR ACT, is referred to the Committee on Environment.

By Representatives Kimsey, Abernethy, Fitch, Hege, Howard, Jordan, Justus, Loflin, Privette, Smith, and Warner:

H.B. 552, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SUSPENSION OR REVOCATION OF PROFESSIONAL AND OCCUPATIONAL LICENSES OR CERTIFICATIONS OF A DEFENDANT CONVICTED OF A STATE OR FEDERAL DRUG OFFENSE, is referred to the Committee on State Government.

By Representatives James, Albertson, Mercer, and Thompson:

H.B. 553, A BILL TO BE ENTITLED AN ACT TO CREATE THE "TOBACCO RESEARCH COMMISSION", AUTHORIZE A REFERENCE OF TOBACCO GROWERS REGARDING ESTABLISHMENT OF A "TOBACCO CHECK-OFF" FOR TOBACCO RESEARCH, AND TO MAKE CONFORMING CHANGES IN THE LAWS CONCERNING AGRICULTURAL RESEARCH, is referred to the Committee on Agriculture.

By Representatives James and Bowman:

H.B. 554, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONTROL OF AQUATIC WEEDS, is referred to the Committee on Agriculture.

By Representatives Kennedy, Barnhill, Cunningham, Holt, H. Hunter, Oldham, and Wainwright:

H.B. 555, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCRIMINATION IN EMPLOYMENT BECAUSE OF RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, AGE, OR DISABILITY, is referred to the Committee on Economic Expansion.

By Representatives Hightower, Beall, Gray, and Jeffus:

H.B. 556, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES RELATED TO THE HEARING AID DEALERS AND FITTERS BOARD, is referred to the Committee on Finance.

By Representative Hardaway:

H.B. 557, A BILL TO BE ENTITLED AN ACT TO PROHIBIT PRICE DISCRIMINATION IN THE SALE OF MOTOR FUELS TO A WHOLESALE PURCHASER UNDER CONTRACT, is referred to the Committee on Judiciary I.

By Representatives Hardaway, Buchanan, Flaherty, and Gardner:

H.B. 558, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE GOVERNOR'S ONE-ON-ONE PROGRAMS THAT PROVIDE ADULT VOLUNTEER FRIENDS AND ROLE MODELS FOR TROUBLED YOUNG PEOPLE, is referred to the Committee on Appropriations.

By Representative Hardaway:

H.B. 559, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION IN THE LAW REGARDING CERTIFICATES FOR FIRE PREVENTION INSPECTORS, is referred to the Committee on State Government.

By Representatives McLaughlin, Balmer, Barnhill, Black, Cunningham, Easterling, Foster, and Grimmer:

H.B. 560, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE FIFTEEN ADDITIONAL ASSISTANT

DISTRICT ATTORNEYS FOR MECKLENBURG COUNTY, is referred to the Committee on Appropriations.

By Representative Redwine:

H.B. 561, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MINIMUM STANDARDS, DUTIES, AND RESPONSIBILITIES OF COMPANY POLICE OFFICERS AND COMPANY POLICE AGENCIES, is referred to the Committee on Judiciary II.

By Representatives Easterling, Colton, Gardner, Hensley, and Holt:

H.B. 562, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE COUNCIL ON THE STATUS OF WOMEN TO THE NORTH CAROLINA COUNCIL FOR WOMEN, is referred to the Committee on State Government.

By Representatives Cunningham, Barnes, Barnhill, Fitch, Hackney, Hardaway, Hensley, Judy Hunt, H. Hunter, Jordan, Kennedy, McLaughlin, Michaux, Ramsey, and Wainwright:

H.B. 563, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA HUMAN RELATIONS COMMISSION TO BRING AN ACTION FOR AN INTERFERENCE OF CIVIL RIGHTS UNDER CHAPTER 99D OF THE GENERAL STATUTES, is referred to the Committee on Judiciary III.

By Representatives Barnhill, Barnes, Colton, N. J. Crawford, Culp, Cunningham, Fitch, Foster, Green, Greenwood, Hackney, Judy Hunt, H. Hunter, James, Jeralds, Kennedy, Loflin, Lutz, Michaux, Oldham, Rogers, Stamey, Stewart, and Thompson:

H.B. 564, A BILL TO BE ENTITLED AN ACT TO REGULATE THE PRACTICE OF DIETETICS/NUTRITION, is referred to the Committee on Human Resources.

By Representative Abernethy:

H.B. 565, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIRED PERIOD OF EXISTENCE FOR A BANK OR SUBSIDIARY BANK OF A BANK HOLDING COMPANY BEFORE IT MAY BE SUBJECT TO INTERSTATE ACQUISITION, is referred to the Committee on Commerce.

By Representatives Hightower, Balmer, Beall, Gray, Jeffus, and Lilley:

H.B. 566, A BILL TO BE ENTITLED AN ACT TO REVISE AND UPDATE THE LAWS RELATING TO THE NORTH CAROLINA STATE HEARING AID DEALERS AND FITTERS BOARD, is referred to the Committee on State Government.

By Representatives Ligon, Brown, Hege, Howard, Justus, Privette, and Wilson:

H.B. 567, A BILL TO BE ENTITLED AN ACT TO INCREASE THE ANNUAL TAX ON STATE LICENSES REQUIRED FOR

HOLDERS OF RETAIL ABC PERMITS, is referred to the Committee on Finance.

By Representatives Ligon, Brawley, Brown, Howard, Justus, Privette, and Wilson:

H.B. 568, A BILL TO BE ENTITLED AN ACT TO AMEND THE BEER AND WINE STATE LICENSE TAX, is referred to the Committee on Finance.

By Representative Black:

H.B. 569, A BILL TO BE ENTITLED AN ACT TO REGULATE PERSONNEL RECORDS OF COMMUNITY COLLEGE SYSTEM EMPLOYEES AND RELATED MATTERS, is referred to the Committee on Education.

By Representatives Mavretic, Bowman, Brawley, Chapin, Foster, Howard, Smith, and Thompson:

H.B. 570, A BILL TO BE ENTITLED AN ACT TO MODIFY APPOINTMENTS TO THE MARINE FISHERIES COMMISSION AND TO MAKE OTHER CHANGES TO THE STATUTES CONCERNING MARINE FISHERIES, is referred to the Committee on State Government.

By Representative Hackney:

H.B. 571, A BILL TO BE ENTITLED AN ACT TO INCREASE FISCAL RESPONSIBILITY AND ACCOUNTABILITY ON THE PART OF DESIGNATED CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Hackney:

H.B. 572, A BILL TO BE ENTITLED AN ACT TO ALLOW DISCRETION BY THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AS TO WHETHER TO SEEK FEDERAL APPROVAL OF ANY INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE CLEANUP, is referred to the Committee on Environment.

SUSPENSION OF RULES TO INTRODUCE BILL

On motion of Representative H. Hunter, Rule 31.1 is suspended by a two-thirds majority vote in order for a bill to be filed.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 34, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE USE OF THE RULE OF 78s AS IT PERTAINS TO INSTALLMENT LOANS SECURED BY REAL PROPERTY OR MOBILE HOMES**, is read the first time and referred to the Committee on Commerce.

Committee Substitute for **S.B. 42**, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE BANKING LAWS, is read the first time and referred to the Committee on Commerce.

CALENDAR

Action is taken on the following:

S.J.R. 236, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES EARL "JIM" EZZELL, JR., LATE MEMBER OF THE GENERAL ASSEMBLY, passes its second reading, by electronic vote (90-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 177**, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 10 OF CHAPTER 65 TO ALLOW ACCESS TO AND MAINTENANCE OF PRIVATE GRAVES AND ABANDONED PUBLIC CEMETERIES.

On motion of Representative Kerr, consideration of the bill is postponed until April 3.

On motion of Representative Jack Hunt, seconded by Representative Foster, the House adjourns at 7:49 p.m. to reconvene April 2 at 1:00 p.m.

THIRTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 2, 1991

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments, and Calendar reports the Journal of April 1 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Black, Grimmer, Rhodes, Withrow, and Wood for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lutz for the Committee on Local and Regional Government II:

H.B. 275, A BILL TO BE ENTITLED AN ACT TO REPEAL PAM-LICO COUNTY LOCAL MODIFICATION TO SUBDIVISION STATUTE, with a favorable report.

H.B. 308, A BILL TO BE ENTITLED AN ACT TO ALLOW GASTON COUNTY OR ITS MUNICIPALITIES TO CONTRACT WITH FINANCIAL INSTITUTIONS FOR RECEIPT OF PAYMENTS OF DELINQUENT PROPERTY TAXES AND INTEREST, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H.B. 339, A BILL TO BE ENTITLED AN ACT TO EXEMPT PASQUOTANK COUNTY FROM THE REQUIREMENTS OF ARTICLE 12 OF CHAPTER 160A OF THE GENERAL STATUTES AS TO THE LEASE OR SALE OF CERTAIN PROPERTY, with a favorable report.

H.B. 348, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF HARD-SURFACED ROADS IN JONES COUNTY, with a favorable report.

H.B. 356, A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FROM THE PUBLIC RECORDS ACT FOR THE LINCOLN COUNTY GEOGRAPHICAL INFORMATION SYSTEM, with a favorable report.

By Representative Dawkins for the Committee on Judiciary II:

H.B. 224, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN APPEAL FOR A TRIAL DE NOVO MAY BE WITHDRAWN AFTER THE CALENDARING OF THE CASE UPON CONSENT OF THE COURT AND THE ATTACHMENT OF COURT COSTS, with a favorable report.

SUBCOMMITTEE REFERRALS

Representative DeVane, Chairman for the Standing Committee on Environment, refers:

H.B. 410, A BILL TO BE ENTITLED AN ACT TO AMEND THE ENVIRONMENTAL POLICY ACT OF 1971 AND TO MAKE THE ACT PERMANENT, to the Permanent Subcommittee on Water, Air and Soil.

H.B. 413, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM CIVIL PENALTY WHICH MAY BE ASSESSED FOR VIOLATIONS OF AIR QUALITY STANDARDS OR LIMITATIONS AND TO CORRECT A CROSS-REFERENCE, to the Permanent Subcommittee on Water, Air and Soil.

H.B. 448, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF STOP-WORK ORDERS FOR VIOLATIONS OF THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973, to the Permanent Subcommittee on Water, Air and Soil.

H.B. 449, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE SEDIMENTATION POLLUTION CONTROL ACT, to the Permanent Subcommittee on Water, Air and Soil.

H.B. 551, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE REQUIREMENTS OF THE 1990 AMENDMENTS TO THE

FEDERAL CLEAN AIR ACT, to the Permanent Subcommittee on Water, Air and Soil.

H.B. 412, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "COMMERCIAL" AS APPLIED TO HAZARDOUS WASTE FACILITIES, to the Permanent Subcommittee on Hazardous Waste.

H.B. 507, A BILL TO BE ENTITLED AN ACT TO PROVIDE RULE-MAKING AUTHORITY TO THE NORTH CAROLINA LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT AUTHORITY FOR COMPENSATING LANDOWNERS FOR LOSS OF VALUE IN PROPERTY DIRECTLY RESULTING FROM THE SITING OR OPERATION OF A LOW-LEVEL RADIOACTIVE WASTE FACILITY AND TO AMEND CERTAIN PROVISIONS OF CHAPTER 104G OF THE GENERAL STATUTES RELATING TO TAXES SO AS TO INCREASE THE BENEFITS AVAILABLE TO THE HOST COUNTY OF A LOW-LEVEL RADIOACTIVE WASTE DISPOSAL FACILITY, to the Permanent Subcommittee on Hazardous Waste.

Representative Hasty, Chairman for the Standing Committee on Economic Expansion, refers:

H.B. 375, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COUNTY TAX ASSESSOR SHALL MAKE CERTAIN TAXPAYER BUSINESS RECORDS AVAILABLE TO THE EMPLOYMENT SECURITY COMMISSION ON REQUEST, to the Permanent Subcommittee on Small Business.

H.B. 438, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES TO THE EMPLOYMENT SECURITY LAW, to the Permanent Subcommittee on Labor Relations and Employment.

H.B. 439, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE EMPLOYMENT SECURITY LAW, to the Permanent Subcommittee on Labor Relations and Employment.

H.B. 455, A BILL TO BE ENTITLED AN ACT TO CONFORM CERTAIN PROVISIONS OF THE WAGE AND HOUR ACT TO FEDERAL LAW, to the Permanent Subcommittee on Labor Relations and Employment.

H.B. 478, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE TYPE OF DEVICE COVERED BY THE AMUSEMENT DEVICE SAFETY ACT, to the Permanent Subcommittee on Small Business.

H.B. 519, A BILL TO BE ENTITLED AN ACT REQUIRING EMPLOYERS TO REIMBURSE EMPLOYMENT AGENCY FEES UNDER CERTAIN CIRCUMSTANCES, to the Permanent Subcommittee on Labor Relations and Employment.

H.B. 555, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCRIMINATION IN EMPLOYMENT BECAUSE OF RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, AGE, OR DISABILITY, to the Permanent Subcommittee on Labor Relations and Employment.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Gist, Jarrell, Jeffus, and Lineberry:

H.B. 573, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE ALL OF THE SCHOOL ADMINISTRATIVE UNITS IN GUILFORD COUNTY OR TO PROVIDE FOR THE TWO CITY SCHOOL ADMINISTRATIVE UNITS IN THAT COUNTY TO HAVE BOUNDARIES COTERMINOUS WITH THE CITIES, SUBJECT TO A REFERENDUM, is referred to the Committee on Local and Regional Government I.

By Representatives Judy Hunt and Wilmoth:

H.B. 574, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF FOSCOE, is referred to the Committee on Local and Regional Government II.

By Representatives Wood, Buchanan, Hurley, and Mercer:

H.B. 575, A BILL TO BE ENTITLED AN ACT TO BROADEN COVERAGE UNDER THE STATE SCHOLARSHIP PROGRAM TO INCLUDE CHILDREN OF WAR VETERANS WITH ANY DISABILITY RATING, is referred to the Committee on State Government.

By Representatives H. Hunter and Barnes:

H.B. 576, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE COMMUNITY PENALTIES PROGRAM FROM THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO THE ADMINISTRATIVE OFFICE OF THE COURTS, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representative Morgan:

H.B. 577, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF PINEHURST, is referred to the Committee on Local and Regional Government II.

By Representatives H. Hunter, Barnes, and Huffman:

H.B. 578, A BILL TO BE ENTITLED AN ACT REGARDING IMPLEMENTATION OF RECOMMENDATIONS OF THE STATE LAW ENFORCEMENT STUDY, is referred to the Committee on Rules, Appointments and Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 34**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATIONS OF THE DEBT COLLECTION PRACTICES ACTS, is

returned for concurrence in Senate Committee substitute and referred to the Committee on Judiciary I.

S.B. 104, A BILL TO BE ENTITLED AN ACT TO ELIMINATE A TAXPAYER'S DEDUCTION FOR CERTAIN CONTRIBUTIONS OF LAND OR CROPS TO ACCOUNT FOR TAX CREDITS ALLOWED FOR THE SAME CONTRIBUTIONS, is read the first time and referred to the Committee on Finance.

S.B. 112, A BILL TO BE ENTITLED AN ACT TO MAKE ANNUAL SPECIAL FUEL REPORTS DUE THE SAME TIME AS ANNUAL MOTOR CARRIER REPORTS AND TO MAKE CONFORMING CHANGES TO THE MOTOR CARRIER LAWS TO FACILITATE ANNUAL MOTOR CARRIER REPORTS, is read the first time and referred to the Committee on Transportation.

S.B. 209, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ISSUANCE OF FICTITIOUS DRIVERS LICENSES AND REGISTRATION PLATES AND TO CREATE A CONFIDENTIAL REGISTRATION FILE, is read the first time and referred to the Committee on Judiciary III.

S.B. 234, A BILL TO BE ENTITLED AN ACT TO PERMIT REGIONAL SOLID WASTE MANAGEMENT AUTHORITIES TO RECEIVE ANNUAL SALES TAX REFUNDS, is read the first time and referred to the Committee on Finance.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 13, AN ACT TO ELIMINATE THE FRANCHISE TAX INITIAL RETURN AND TO INCREASE THE MINIMUM FRANCHISE TAX. (CHAPTER 30)

S.J.R. 236, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES EARL "JIM" EZZELL, JR., LATE MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 9)

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 133**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO USE, CONSISTENT WITH ECONOMIC FEASIBILITY AND APPLICABLE ENGINEERING AND ENVIRONMENTAL QUALITY STANDARDS, CERTAIN RECYCLED GOODS FOR SPECIFIED PURPOSES.

On motion of Representative Thompson, consideration of the bill is postponed until April 3.

On motion of Representative Jack Hunt, seconded by Representative Robinson, the House adjourns, by electronic vote (101-3), at 1:17 p.m. to reconvene April 3 at 3:00 p.m.

THIRTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 3, 1991

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments, and Calendar reports the Journal of April 2 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Stamey for today.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Gist for the Committee on Local and Regional Government I:

H.B. 327, A BILL TO BE ENTITLED AN ACT CHANGING THE TIME NEWLY ELECTED MEMBERS OF THE SURRY COUNTY BOARD OF EDUCATION SHALL QUALIFY, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Bowman and Hensley:

H.B. 579, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RETIRED SENIOR VOLUNTEER PROGRAM (RSVP), is referred to the Committee on Appropriations.

By Representatives Gamble and Kahl:

H.B. 580, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BANKING COMMISSION TO DEVELOP A PLAN TO PROVIDE, AS A SERVICE TO THE GENERAL PUBLIC, INFORMATION ON THE FINANCIAL SOUNDNESS OF BANKS, is referred to the Committee on Commerce.

By Representatives Sam Hunt, Albertson, Barbee, Beall, Beard, Buchanan, N. J. Crawford, Culp, DeVane, Gardner, Gottovi, Hensley, Hurley, Jeffus, Kahl, Lilley, Loflin, Luebke, McLawhorn, Mercer, Privette, Redwine, Rogers, Russell, Smith, Warner, and Woodard:

H.B. 581, A BILL TO BE ENTITLED AN ACT TO CHANGE THE GENERAL DRIVERS LICENSE RENEWAL CYCLE FROM FOUR YEARS TO FIVE YEARS AND TO MAKE UNIFORM THE

REQUIREMENTS FOR OBTAINING A DRIVERS LICENSE, is referred to the Committee on Transportation.

By Representative Abernethy:

H.B. 582, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT SPIN-OFFS OF PROFESSIONAL CORPORATIONS ARE ALLOWED ONLY IF CARRIED OUT IN ACCORDANCE WITH FEDERAL LAW AS IT MAY BE AMENDED, is referred to the Committee on Judiciary III.

By Representatives Lilley, Anderson, and Wainwright:

H.B. 583, A BILL TO BE ENTITLED AN ACT TO MODIFY THE COMPOSITION OF THE KINSTON-LENOIR COUNTY TOURISM DEVELOPMENT AUTHORITY, is referred to the Committee on Local and Regional Government II.

By Representatives Thompson and James:

H.B. 584, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE LAW ENFORCEMENT OFFICERS OF THE LOCAL GOVERNMENT UNIT DELIVERING A PRISONER TO THE ALBEMARLE DISTRICT JAIL TO PROVIDE TRANSPORTATION FOR THAT PRISONER TO AND FROM THE FACILITY, is referred to the Committee on Local and Regional Government I.

By Representative Redwine:

H.B. 585, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWNS OF HOLDEN BEACH, LONG BEACH, OCEAN ISLE BEACH, SUNSET BEACH, AND YAUPON BEACH TO ESTABLISH SEA TURTLE SANCTUARIES WITHIN THEIR TOWN LIMITS, is referred to the Committee on Environment.

By Representative Redwine:

H.B. 586, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CASWELL BEACH TO ASSESS BENEFITED PROPERTY FOR UNDERGROUNDING OF UTILITIES, is referred to the Committee on Local and Regional Government II.

By Representative Redwine:

H.B. 587, A BILL TO BE ENTITLED AN ACT TO ALLOW OCEAN ISLE BEACH AND SUNSET BEACH TO REGULATE JET SKIING, is referred to the Committee on Local and Regional Government II.

By Representatives Morgan, Bowman, Dockham, Flaherty, Grady, and Warner:

H.B. 588, A BILL TO BE ENTITLED AN ACT TO REQUIRE HOSPITALS TO ITEMIZE CHARGES ON DISCHARGED PATIENT'S BILL, is referred to the Committee on Human Resources.

By Representatives Ethridge, Barnes, Colton, N. J. Crawford, DeVane, Fletcher, Gottovi, Grady, Greenwood, Hackney, Hardaway, H. Hunter, R. Hunter, Jeffus, Kahl, Luebke, Stamey, and Warner:

H.B. 589, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO

ADOPT RULES REGARDING WATER QUALITY AND AIR QUALITY THAT EXCEED OR ARE MORE COMPREHENSIVE THAN COMPARABLE FEDERAL REGULATIONS, is referred to the Committee on Environment.

By Representatives Ethridge, Anderson, Barbee, Beard, Bowman, Brawley, Brown, Creech, Decker, Dial, Diamont, Fletcher, Foster, Gamble, Gardner, Grady, Hensley, Hurley, Jarrell, Jones, Kahl, Ligon, Oldham, Privette, Wainwright, and Warner:

H.B. 590, A BILL TO BE ENTITLED AN ACT TO PROHIBIT OPEN CONTAINERS OF ALCOHOLIC BEVERAGES IN MOTOR VEHICLES EXCEPT FOR MOTOR HOMES AND CERTAIN FOR-HIRE VEHICLES, is referred to the Committee on Judiciary I.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 110, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE TAXES ON MOTOR FUELS, SPECIAL FUEL, AND MOTOR CARRIERS, AND TO TEMPORARILY RESTORE THE \$40,000 CAP ON BONDS THAT MAY BE REQUIRED OF FUEL DISTRIBUTORS AND SUPPLIERS, is read the first time and referred to the Committee on Finance.

S.B. 150, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR THE PRODUCTION AND SALE OF FALLOW DEER, is read the first time and referred to the Committee on Agriculture.

S.B. 227, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM BENEFITS WHICH THE INSURANCE COMMISSIONER MAY AUTHORIZE TO BE PAID BY CERTAIN FRATERNAL BENEFIT SOCIETIES, is read the first time and referred to the Committee on Commerce.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittees are presented:

By Representative Green for the Permanent Subcommittee on Aging of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 158, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE DEPARTMENT OF HUMAN RESOURCES STUDY THE CURRENT REIMBURSEMENT SYSTEM FOR DOMICILIARY HOMES AND RECOMMEND CHANGES, with a favorable report.

By Representative Green for the Permanent Subcommittee on Aging:

S.B. 161, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE DEPARTMENT OF HUMAN RESOURCES COMPLETE STAFF REVIEW OF LOCAL NEGATIVE ACTIONS WITHIN SIXTY DAYS, referred to the Standing Committee on Human Resources, with a favorable recommendation.

S.B. 164, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT DOMICILIARY HOME COST REPORTS BE CERTIFIED, referred to the Standing Committee on Human Resources, with a favorable recommendation.

CALENDAR

Action is taken on the following:

H.B. 291, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO LEVY A MOTOR VEHICLE TAX NOT TO EXCEED TWENTY-FIVE DOLLARS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lewis, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Nye, Oldham, Payne, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, and Wood - 103.

Voting in the negative: Representatives Balmer, Cunningham, Kimsey, Ligon, Loflin, Morgan, and Pope - 7.

Excused absence: Representative Stamey.

H.B. 326, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF ROWLAND TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Beall, Beard, Black, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Huffman, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson,

Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 104.

Voting in the negative: Representative Ligon.

Excused absence: Representative Stamey.

S.B. 101, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO LEVY A MOTOR VEHICLE TAX NOT TO EXCEED TEN DOLLARS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Huffman, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lewis, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 102.

Voting in the negative: Representatives Balmer, Decker, Kimsey, Ligon, and Loflin - 5.

Excused absence: Representative Stamey.

SUBCOMMITTEE REFERRALS

Representative DeVane, Chairman for the Standing Committee on Environment, refers:

H.B. 423, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MEANING OF "REPAIR" OF A SANITARY SEWAGE SYSTEM, to the Permanent Subcommittee on Water, Air and Soil.

H.B. 422, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF THE TERM "OTHER WASTE" AS USED IN THE WATER AND AIR POLLUTION STATUTES, to the Permanent Subcommittee on Water, Air and Soil.

H.B. 472, A BILL TO BE ENTITLED AN ACT TO DEFINE THE TERM "REPAIR" AS USED IN RELATION TO THE REGULATION OF SANITARY SEWAGE SYSTEMS, to the Permanent Subcommittee on Water, Air and Soil.

H.B. 506, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW PROVIDING FOR THE PREVENTION OF LEAD POISONING IN CHILDREN, to the Permanent Subcommittee on Hazardous Waste.

H.B. 572, A BILL TO BE ENTITLED AN ACT TO ALLOW DISCRETION BY THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AS TO WHETHER TO SEEK FEDERAL APPROVAL OF ANY INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE CLEANUP, to the Permanent Subcommittee on Hazardous Waste.

REPORT OF COMMITTEE

The following reports from standing committee are presented:

By Representative Greenwood for the Committee on Pensions and Retirement:

H.B. 27, A BILL TO BE ENTITLED AN ACT TO PERMIT PAID FIREMEN TO RECEIVE PENSION BENEFITS FROM THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND WHETHER OR NOT THEY STAY ON A LOCAL PAY-ROLL, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H.B. 29, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY BENEFITS FROM THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

SUBCOMMITTEE REFERRALS

Representative James, Chairman for the Standing Committee on Agriculture, refers:

H.B. 374, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A PERSON HUNTING OR APPLYING FOR A HUNTING LICENSE TO SIGN A STATEMENT ON A FORM PROVIDED BY THE WILDLIFE RESOURCES COMMISSION CONFIRMING THAT HE HAD A HUNTING LICENSE PRIOR TO THE REQUIREMENT OF A HUNTER SAFETY COURSE, to the Permanent Subcommittee on Forestry, Horticulture and Wildlife.

H.B. 392, A BILL TO BE ENTITLED AN ACT TO EXTEND THE REQUIREMENT THAT HUNTERS WEAR BLAZE ORANGE TO ENCOMPASS THE HUNTING OF OTHER TYPES OF GAME, to the Permanent Subcommittee on Forestry, Horticulture and Wildlife.

H.B. 467, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "PESTICIDE APPLICATOR", to the Permanent Subcommittee on Crops and Animal Husbandry.

H.B. 468, A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERMIT TO SELL BEES AND TO AUTHORIZE THE COMMISSIONER OF AGRICULTURE TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF THE BEE AND HONEY ACT, to the Permanent Subcommittee on Crops and Animal Husbandry.

CALENDAR (continued)

H.B. 275, A BILL TO BE ENTITLED AN ACT TO REPEAL PAM-LICO COUNTY LOCAL MODIFICATION TO SUBDIVISION STATUTE.

On motion of Representative Wainwright, consideration of the bill is postponed until April 9.

H.B. 339, A BILL TO BE ENTITLED AN ACT TO EXEMPT PASQUOTANK COUNTY FROM THE REQUIREMENTS OF ARTICLE 12 OF CHAPTER 160A OF THE GENERAL STATUTES AS TO THE LEASE OR SALE OF CERTAIN PROPERTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 348, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF HARD-SURFACED ROADS IN JONES COUNTY, passes its second reading.

On motion of Representative Creech, further consideration of the bill is postponed until April 4.

H.B. 356, A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FROM THE PUBLIC RECORDS ACT FOR THE LINCOLN COUNTY GEOGRAPHICAL INFORMATION SYSTEM, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **S.B. 128, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SYSTEMATIC REVIEW OF PROPERTY EXEMPTED OR EXCLUDED FROM PROPERTY TAXATION AND TO ALLOW PROPERTY THAT WAS ERRONEOUSLY EXEMPTED OR EXCLUDED TO BE TREATED AS DISCOVERED PROPERTY.**

On motion of Representative R. Hunter, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 112.

Voting in the negative: Representatives Mavretic and Morgan - 2.

Excused absences: Representative Stamey.

Committee Substitute for **S.B. 177**, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 10 OF CHAPTER 65 TO ALLOW ACCESS TO AND MAINTENANCE OF PRIVATE GRAVES AND ABANDONED PUBLIC CEMETERIES.

On motion of Representative Hackney, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by electronic vote (112-0).

Representative Justus objects to the third reading. The bill remains on the Calendar.

On motion of Representative R. Hunter, the bill is withdrawn from the Calendar for April 4 and placed on the Calendar for April 9.

Committee Substitute for **H.B. 133**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO USE, CONSISTENT WITH ECONOMIC FEASIBILITY AND APPLICABLE ENGINEERING AND ENVIRONMENTAL QUALITY STANDARDS, CERTAIN RECYCLED GOODS FOR SPECIFIED PURPOSES, passes its second reading by electronic vote (110-1).

Representative McLaughlin objects to the third reading. The bill remains on the Calendar.

H.B. 224, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN APPEAL FOR A TRIAL DE NOVO MAY BE WITHDRAWN AFTER THE CALENDARING OF THE CASE UPON CONSENT OF THE COURT AND THE ATTACHMENT OF COURT COSTS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Jack Hunt, seconded by Representative Greenwood, the House adjourns, by electronic vote (109-1), at 3:55 p.m. to reconvene April 4 at 3:00 p.m.

THIRTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Thursday, April 4, 1991

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments, and Calendar reports the Journal of April 3 has been examined

and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Sam Hunt, R. Hunter, Lutz, Stamey, Stewart, Wainwright, Warner, and Wood for today.

**THE RECEIVING OF PETITIONS, MEMORIALS AND
PAPERS ADDRESSED
TO THE GENERAL ASSEMBLY OR TO THE HOUSE**

April 4, 1991

The Honorable Daniel T. Blue, Jr.
Speaker of the House
State Legislative Building
Raleigh, North Carolina 27611

Dear Mr. Speaker:

Pursuant to North Carolina General Statute 115C-10, I hereby appoint Thomas W. D'Alonzo and Kenneth R. Harris to the State Board of Education to serve terms beginning immediately, and expiring March 31, 1999. These appointments are subject to confirmation by the General Assembly by joint resolution, and I hereby submit their names for confirmation.

I have enclosed biographical information on both Mr. D'Alonzo and Mr. Harris. Please feel free to contact them should you need any additional information, or to inform them of any committee meeting that they would need to attend concerning their confirmation.

Sincerely,
S/James G. Martin
Governor

On motion of the Chair, the letter is referred to the Committee on Education.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Michaux for the Committee on Courts, Justice, Constitutional Amendments and Referenda:

H.B. 276, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ADMINISTRATION OF THE POLITICAL PARTIES FINANCING FUND, with a favorable report.

By Representative Kennedy for the Committee on Judiciary I:

H.B. 192, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE JUVENILE LAW STUDY COMMISSION TO ALLOW TERMINATION OF PARENTAL RIGHTS AFTER A PARENT HAS LEFT A CHILD IN FOSTER CARE FOR TWELVE MONTHS WITHOUT MAKING REASONABLE PROGRESS TOWARDS CORRECTING THE CONDITIONS THAT LED TO FOSTER CARE, with a favorable report.

Committee Substitute for **S.B. 43**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AUTOMATIC CIVIL COMMITMENT OF A DEFENDANT CHARGED WITH A CRIME AND FOUND NOT GUILTY BY REASON OF INSANITY, TO SHIFT THE BURDEN OF PROOF TO THE DEFENDANT AT SUBSEQUENT HEARINGS ON RELEASE, AND TO MAKE OTHER CHANGES IN RELATED PROCEDURES, with an unfavorable report as to Senate committee substitute bill, favorable as to House committee substitute bill.

The House committee substitute bill is placed on the Calendar for April 9. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Dawkins for the Committee on Judiciary II:

H.B. 290, A BILL TO BE ENTITLED AN ACT TO ALLOW NOTICE BY PUBLICATION OF HOUSING CODE ENFORCEMENT WHERE SERVICE BY CERTIFIED MAIL IS REFUSED, with a favorable report.

Committee Substitute for **S.B. 157**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAWS GOVERNING ADMINISTRATIVE HEARINGS, with a favorable report.

On motion of Representative Dawkins, the rules are suspended and the bill is placed on the Calendar for April 9.

By Representatives Hackney and Miller for the Committee on Finance:

Committee Substitute for **H.B. 10**, A BILL TO BE ENTITLED AN ACT TO ALLOW LESSORS AND RENTERS OF MOTOR VEHICLES TO ELECT TO PAY HIGHWAY USE TAX ON MOTOR VEHICLES OWNED ON OCTOBER 1, 1989, AND TO CLARIFY THAT THESE MOTOR VEHICLES ARE OTHERWISE SUBJECT TO THE GROSS RECEIPTS TAX, with a favorable report.

H.B. 267, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "BUSINESS OPPORTUNITY", with a favorable report.

H.B. 273, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATION OF HENDERSON COUNTY'S OCCUPANCY TAX LAW, with a favorable report.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittees are presented:

By Representative Barnhill for the Permanent Subcommittee on Health and Mental Health:

H.B. 18, A BILL TO BE ENTITLED AN ACT TO CLARIFY LANGUAGE TO AUTHORIZE LOCAL BOARDS OF HEALTH TO ADOPT RULES MORE STRINGENT THAN THE COMMISSION FOR HEALTH SERVICES OR THE ENVIRONMENTAL MANAGEMENT COMMISSION WHEN DEEMED NECESSARY TO

PROTECT THE PUBLIC HEALTH, referred to the Standing Committee on Human Resources, with an unfavorable recommendation as to bill, favorable as to proposed committee substitute bill.

H.B. 82, A BILL TO BE ENTITLED AN ACT TO AMEND THE BEDDING SANITATION LAW, referred to the Standing Committee on Human Resources, with a favorable recommendation and recommend that the bill be re-referred to the Committee on Finance.

By Representative Thompson for the Permanent Subcommittee on Solid Waste of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 134, A BILL TO BE ENTITLED AN ACT AUTHORIZING A COUNTY TO ENACT AN ORDINANCE REQUIRING PRIVATE RECYCLERS TO SUBMIT A REPORT TO THE COUNTY ON THE RECYCLABLE MATERIALS SUBJECT TO THE GOAL SET FORTH IN G.S. 103A-309.04 THAT ARE BEING RECOVERED BY THE RECYCLER WITHIN THE COUNTY, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The committee substitute bill is placed on the Calendar for April 9. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representative DeVane, Chairman for the Standing Committee on Environment, refers:

H.B. 541, A BILL TO BE ENTITLED AN ACT TO REQUIRE DISCLOSURE AND RECORDATION OF ENVIRONMENTAL LIMITATIONS AND LIABILITIES, to the Permanent Subcommittee on Hazardous Waste.

H.B. 585, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWNS OF HOLDEN BEACH, LONG BEACH, OCEAN ISLE BEACH, SUNSET BEACH, AND YAUPON BEACH TO ESTABLISH SEA TURTLE SANCTUARIES WITHIN THEIR TOWN LIMITS, to the Permanent Subcommittee on Water, Air and Soil.

H.B. 589, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADOPT RULES REGARDING WATER QUALITY AND AIR QUALITY THAT EXCEED OR ARE MORE COMPREHENSIVE THAN COMPARABLE FEDERAL REGULATIONS, to the Permanent Subcommittee on Water, Air and Soil.

Representative Hardaway, Chairman for the Standing Committee on Commerce, refers:

H.B. 33, A BILL TO BE ENTITLED AN ACT TO REGULATE THE BUSINESS OF PROVIDING CREDIT REPAIR SERVICES, to the Permanent Subcommittee on Financial Institutions.

H.B. 242, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CREDIT CARD BANKS, TO AMEND THE RATE OF INTEREST AND FEES APPLICABLE TO CREDIT CARD ACCOUNTS, OPEN-END CREDIT, AND REVOLVING CHARGE ACCOUNTS, to the Permanent Subcommittee on Financial Institutions.

H.B. 277, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE COMMISSIONER OF BANKS UNDER THE CONSUMER FINANCE ACT, to the Permanent Subcommittee on Financial Institutions.

H.B. 351, A BILL TO BE ENTITLED AN ACT TO AMEND AND IMPROVE THE INSURANCE LAWS ON THE MONITORING OF THE FINANCIAL CONDITION OF INSURANCE COMPANIES IN ACCORDANCE WITH THE FINANCIAL REGULATION STANDARDS AND INSURANCE DEPARTMENT ACCREDITATION PROGRAM OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS, to the Permanent Subcommittee on Insurance.

H.B. 460, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE STATUTES GOVERNING HEALTH MAINTENANCE ORGANIZATIONS, to the Permanent Subcommittee on Insurance.

H.B. 482, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAWS ON THIRD PARTY ADMINISTRATORS, to the Permanent Subcommittee on Insurance.

H.B. 483, A BILL TO BE ENTITLED AN ACT TO MAKE IMPROVEMENTS IN THE FINANCIAL REGULATION OF CONTINUING CARE FACILITIES, to the Permanent Subcommittee on Insurance.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Wilson, Bowman, Holt, and Sam Hunt:

H.B. 591, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ROCKINGHAM COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is referred to the Committee on Local and Regional Government II.

By Representative Chapin:

H.B. 592, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WASHINGTON TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is referred to the Committee on Local and Regional Government I.

By Representative Smith:

H.B. 593, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HOLLY RIDGE TO COLLECT A FEE FOR SOLID WASTE COLLECTION AND DISPOSAL SYSTEMS AND

FACILITIES IN THE SAME MANNER AS AD VALOREM TAXES, is referred to the Committee on Finance.

By Representatives Beall and Bowman:

H.B. 594, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SALES TAX EXEMPTION FOR NEWSPAPER INSERTS AND TO USE THE REVENUE GENERATED BY THE REPEAL FOR SOLID WASTE MANAGEMENT, is referred to the Committee on Finance.

By Representatives Dial and H. Hunter:

H.B. 595, A BILL TO BE ENTITLED AN ACT TO ADD AN INDIAN MEMBER FROM THE MEHERRIN TRIBE TO THE COMMISSION ON INDIAN AFFAIRS AND TO MAKE CERTAIN TECHNICAL CHANGES, is referred to the Committee on State Government.

By Representative Thompson:

H.B. 596, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF NAGS HEAD, KILL DEVIL HILLS, SOUTHERN SHORES, KITTY HAWK, AND MANTEO TO ENACT ORDINANCES WHICH PROHIBIT THE SALE OR DISTRIBUTION OF ANY POLYSTYRENE FOAM PRODUCT WHICH IS USED IN CONJUNCTION WITH FOOD FOR HUMAN CONSUMPTION, is referred to the Committee on Local and Regional Government I.

By Representative Thompson:

H.B. 597, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SBI TO FORM A TASK FORCE TO INVESTIGATE ALL CASES OF SUBSTANTIATED CHILD ABUSE OR NEGLECT IN DAY CARE, is referred to the Committee on Judiciary III.

By Representatives Thompson and James:

H.B. 598, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS, TO PROHIBIT HUNTING ON ANOTHER'S LAND WITHOUT PERMISSION, AND TO REGULATE HUNTING WITH CENTER FIRE RIFLES IN PASQUOTANK COUNTY, is referred to the Committee on Local and Regional Government I.

By Representative Barnes:

H.B. 599, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE PUBLIC SCHOOL TENURE LAW, is referred to the Committee on Education.

By Representatives Jordan, Hensley, and Stamey:

H.B. 600, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE LOCAL SUPPLEMENTAL RETIREMENT BENEFIT FUND FOR FIREFIGHTERS IN THE TOWN OF CARY, IN WAKE COUNTY, is referred to the Committee on Local and Regional Government I.

By Representative Gamble:

H.B. 601, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE LEASING OF RAILROAD CORRIDORS BY THE DEPARTMENT OF TRANSPORTATION FOR INTERIM PURPOSES UNDER CERTAIN CIRCUMSTANCES, is referred to the Committee on Transportation.

By Representative Gamble:

H.B. 602, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IN FILLING A VACANCY ON THE LINCOLN COUNTY BOARD OF COMMISSIONERS, THE NOMINEE OF THE PARTY EXECUTIVE COMMITTEE OF THE VACATING MEMBER MUST BE APPOINTED, is referred to the Committee on Local and Regional Government II.

By Representatives Church, J. W. Crawford, and Green:

H.B. 603, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGISTRATION OF LAND IN GRANVILLE COUNTY AND TO REQUIRE ANY PERSON HUNTING OR POSSESSING A FIRE-ARM OR BOW AND ARROW THAT IS READILY AVAILABLE FOR USE TO SECURE AN ENTRY PERMIT BEFORE ENTERING OR REMAINING ON REGISTERED LAND OR REMAINING ON ABUTTING PORTIONS OF HIGHWAY, is referred to the Committee on Local and Regional Government II.

By Representative Fletcher:

H.B. 604, A BILL TO BE ENTITLED AN ACT TO INCREASE THE SURETY BOND TO BE SUBMITTED BY AN APPLICANT FOR A LICENSE AS A MOTOR VEHICLE DEALER, MANUFACTURER, DISTRIBUTION BRANCH, OR FACTORY BRANCH, is referred to the Committee on Transportation.

By Representatives Gottovi, Barnes, Beall, DeVane, Holt, H. Hunter, Luebke, and Withrow:

H.B. 605, A BILL TO BE ENTITLED AN ACT TO CLARIFY PROCEDURAL REQUIREMENTS FOR DISPOSITIONS COMMITTING JUVENILES TO THE DIVISION OF YOUTH SERVICES, is referred to the Committee on Judiciary I.

By Representative Beard:

H.B. 606, A BILL TO BE ENTITLED AN ACT TO ENABLE NORTH CAROLINA TO JOIN THE DRIVER LICENSE COMPACT, is referred to the Committee on Judiciary II.

RE-REFERRALS

On motion of Representative Mavretic, **H.B. 570**, A BILL TO BE ENTITLED AN ACT TO MODIFY APPOINTMENTS TO THE MARINE FISHERIES COMMISSION AND TO MAKE OTHER CHANGES TO THE STATUTES CONCERNING MARINE FISHERIES, is withdrawn from the Committee on State Government and re-referred to the Committee on Agriculture.

On motion of Representative DeVane, **H.B. 424, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A FEE FOR COMPANION ANIMAL CERTIFICATES OF EXAMINATION**, is withdrawn from the Committee on Environment and re-referred to the Committee on Finance.

GUESTS

Representative Lineberry is recognized and granted permission to escort special guests to the Well of the House. Representative Lineberry introduces Mr. David Phillips, representative for the High Point Furniture Market and Mr. Jim Fogleman, of the Greater Greensboro Open. Mr. Phillips and Mr. Fogleman extend invitations to the membership to attend the two events on April 25 and 26.

CALENDAR

Action is taken on the following:

H.B. 291, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO LEVY A MOTOR VEHICLE TAX NOT TO EXCEED TWENTY-FIVE DOLLARS.

On motion of Representative Grimmer, consideration of the bill is postponed until April 10.

H.B. 326, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF ROWLAND TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.

Representative Hasty offers Amendment No. 1 which is adopted by electronic vote (101-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Rhodes, Rhyne, Robinson, Rogers, Russell, Tallent, Thompson, Wilmoth, Wilson, Withrow, and Woodard - 101.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Sam Hunt, R. Hunter, Lutz, Stamey, Stewart, Wainwright, Warner, and Wood - 8.

S.B. 101, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO LEVY A MOTOR VEHICLE TAX NOT TO EXCEED TEN DOLLARS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Huffman, Jack Hunt, Judy Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lilley, Lineberry, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Rhodes, Rogers, Russell, Tallent, Thompson, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 93.

Voting in the negative: Representatives Balmer, Decker, Kimsey, Lewis, Ligon, Loflin, and Rhyne - 7.

Excused absences: Representatives Sam Hunt, R. Hunter, Lutz, Stamey, Stewart, Wainwright, Warner, and Wood - 8.

H.B. 348, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF HARD-SURFACED ROADS IN JONES COUNTY, passes its third reading, by electronic vote (102-0), and is ordered sent to the Senate.

H.B. 327, A BILL TO BE ENTITLED AN ACT CHANGING THE TIME NEWLY ELECTED MEMBERS OF THE SURRY COUNTY BOARD OF EDUCATION SHALL QUALIFY, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for S.B. 128, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SYSTEMATIC REVIEW OF PROPERTY EXEMPTED OR EXCLUDED FROM PROPERTY TAXATION AND TO ALLOW PROPERTY THAT WAS ERRONEOUSLY EXEMPTED OR EXCLUDED TO BE TREATED AS DISCOVERED PROPERTY.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell,

Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Rhodes, Rhyne, Rogers, Russell, Tallent, Thompson, Wicker, Wilmoth, Withrow, and Woodard - 100.

Voting in the negative: Representatives Morgan and Wilson - 2.

Excused absences: Representatives Sam Hunt, R. Hunter, Lutz, Stamey, Stewart, Wainwright, Warner, and Wood - 8.

Committee Substitute for H.B. 133, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO USE, CONSISTENT WITH ECONOMIC FEASIBILITY AND APPLICABLE ENGINEERING AND ENVIRONMENTAL QUALITY STANDARDS, CERTAIN RECYCLED GOODS FOR SPECIFIED PURPOSES, passes its third reading, by electronic vote (103-0), and is ordered sent to the Senate.

S.B. 158, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE DEPARTMENT OF HUMAN RESOURCES STUDY THE CURRENT REIMBURSEMENT SYSTEM FOR DOMICILIARY HOMES AND RECOMMEND CHANGES, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

On motion of Representative Jack Hunt, seconded by Representative Loflin, the House adjourns, by electronic vote (96-1), at 3:43 p.m. to reconvene Monday, April 8, 1991 at 7:00 p.m.

THIRTY-NINTH DAY

HOUSE OF REPRESENTATIVES

Monday, April 8, 1991

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments, and Calendar reports the Journal of April 4 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (70-0).

Leaves of absence are granted Representatives Abernethy, Beard, Brubaker, Buchanan, Cunningham, Dickson, Gray, Grimmer, Robinson, Warner, and Wood for today.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative R. Hunter for the Committee on Judiciary III:

Committee Substitute for **S.B. 136**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE LIMITED LIABILITY PROTECTION UNDER THE TRAILS SYSTEM TO LANDOWNERS, UNITS OF GOVERNMENT, TRAIL DEVELOPERS, AND TRAIL MAINTAINERS, with a favorable report as to House committee substitute bill, unfavorable report as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for April 10. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representative James, Chairman for the Standing Committee on Agriculture, refers:

H.B. 570, A BILL TO BE ENTITLED AN ACT TO MODIFY APPOINTMENTS TO THE MARINE FISHERIES COMMISSION AND TO MAKE OTHER CHANGES TO THE STATUTES CONCERNING MARINE FISHERIES, to the Permanent Subcommittee on Aquaculture and Marine Fisheries.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Rogers:

H.B. 607, A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD OF ELECTING THE BOARD OF COMMISSIONERS FOR THE TOWN OF WILLIAMSTON, is referred to the Committee on Local and Regional Government II.

By Representative Redwine:

H.B. 608, A BILL TO BE ENTITLED AN ACT TO ALLOW THE VILLAGE OF BALD HEAD ISLAND TO OPERATE A CONTRACT POST OFFICE, is referred to the Committee on Local and Regional Government II.

By Representatives Jarrell (by request), Bowie, Gist, Jeffus, and Lineberry:

H.B. 609, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HIGH POINT TO LEVY A ROOM OCCUPANCY TAX, is referred to the Committee on Finance.

By Representatives Rogers and Hardaway:

H.B. 610, A BILL TO BE ENTITLED AN ACT TO PROVIDE RESIDENCY DISTRICTS FOR ELECTION OF THE MARTIN

COUNTY BOARD OF COMMISSIONERS, TO IMPLEMENT A CONSENT ORDER IN THE CASE OF DANIELS V. BOARD OF COMMISSIONERS OF MARTIN COUNTY, is referred to the Committee on Local and Regional Government II.

By Representatives Buchanan, Flaherty, and Robinson:

H.B. 611, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE OF THE NONPARTISAN AVERY COUNTY SCHOOL BOARD ELECTION FROM MAY TO NOVEMBER, is referred to the Committee on Local and Regional Government II.

By Representatives Gottovi, Bowman, DeVane, Flaherty, Justus, Mercer, Nye, Payne, and Warner:

H.B. 612, A BILL TO BE ENTITLED AN ACT TO CLARIFY ELIGIBILITY FOR SALARY CONTINUATION BENEFITS FOR CERTAIN STATE LAW ENFORCEMENT OFFICERS, is referred to the Committee on Public Employees.

By Representatives Privette and Justus:

H.B. 613, A BILL TO BE ENTITLED AN ACT TO INCREASE THE IMMEDIATE CIVIL LICENSE REVOCATION FOR CERTAIN PERSONS CHARGED WITH IMPLIED-CONSENT OFFENSES FROM TEN DAYS TO THIRTY DAYS AND FOR CERTAIN OTHER PERSONS FROM THIRTY DAYS TO SIXTY DAYS, is referred to the Committee on Judiciary III.

By Representative Fussell:

H.B. 614, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE EAST WAKE SENIOR CITIZENS' CENTER AND THE NORTHERN WAKE SENIOR CITIZENS' CENTER, is referred to the Committee on Appropriations.

By Representatives Wood, Albertson, Barbee, Barnhill, Bowman, Brown, Dockham, Isenhower, Justus, Luebke, Morgan, Privette, and Redwine:

H.B. 615, A BILL TO BE ENTITLED AN ACT TO PROHIBIT "STACKING" OF UNDERINSURED MOTORIST COVERAGES, is referred to the Committee on Commerce.

By Representative Wood:

H.B. 616, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR THE CHANGING OF A CHILD'S NAME BY PETITION NOT MORE THAN TWO TIMES UNDER CERTAIN CIRCUMSTANCES, is referred to the Committee on Judiciary I.

By Representatives Lutz and Withrow:

H.B. 617, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PAY DATE FOR EMPLOYEES OF THE CLEVELAND COUNTY SCHOOLS, is referred to the Committee on Local and Regional Government II.

By Representative H. Hunter:

H.B. 618, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE TOWN OF SEABOARD, is referred to the Committee on Appropriations.

By Representative H. Hunter:

H.B. 619, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE C. S. BROWN SCHOOL AUDITORIUM RESTORATION ASSOCIATION, is referred to the Committee on Appropriations.

By Representatives Gray and Bowman:

H.B. 620, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE RECYCLING OF LEAD-ACID BATTERIES AND TO OTHERWISE REGULATE THE DISPOSAL OF LEAD-ACID BATTERIES, is referred to the Committee on Environment.

By Representatives Michaux, Barbee, Dockham, Hurley, and Redwine:

H.B. 621, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENTS FOR CONTINUING EDUCATION OF INSURANCE LICENSEES, is referred to the Committee on Commerce.

By Representative Easterling:

H.B. 622, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM THE HIGHWAY USE TAX DONATIONS OF USED MOTOR VEHICLES TO CERTAIN NONPROFIT ORGANIZATIONS, is referred to the Committee on Finance.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Committee Substitute for **S.B. 190**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MOMEYER IN NASH COUNTY, is read the first time and referred to the Committee on Local and Regional Government II.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 101, AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO LEVY A MOTOR VEHICLE TAX NOT TO EXCEED TEN DOLLARS. (CHAPTER 31)

S.B. 158, AN ACT TO REQUIRE THAT THE DEPARTMENT OF HUMAN RESOURCES STUDY THE CURRENT REIMBURSEMENT SYSTEM FOR DOMICILIARY HOMES AND RECOMMEND CHANGES. (CHAPTER 32)

H.B. 264, AN ACT TO PROVIDE FOR THE ELECTION OF THE ANSON COUNTY BOARD OF EDUCATION FROM SEVEN

SINGLE-MEMBER DISTRICTS, WITH TWO AT LARGE. (CHAPTER 33)

CALENDAR

Action is taken on the following:

H.B. 273, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATION OF HENDERSON COUNTY'S OCCUPANCY TAX LAW, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Bowen, Bowie, Bowman, Brawley, Brown, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Dawkins, Dial, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Hackney, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, R. Hunter, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kerr, Kimsey, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Rhodes, Rhyne, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wainwright, Wilmoth, Withrow, and Woodard - 89.

Voting in the negative: Representative Redwine.

Excused absences: Representatives Abernethy, Beard, Brubaker, Buchanan, Cunningham, Dickson, Gray, Grimmer, Robinson, Warner, and Wood - 11.

Committee Substitute for H.B. 10, A BILL TO BE ENTITLED AN ACT TO ALLOW LESSORS AND RENTERS OF MOTOR VEHICLES TO ELECT TO PAY HIGHWAY USE TAX ON MOTOR VEHICLES OWNED ON OCTOBER 1, 1989, AND TO CLARIFY THAT THESE MOTOR VEHICLES ARE OTHERWISE SUBJECT TO THE GROSS RECEIPTS TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Bowen, Bowie, Bowman, Brawley, Brown, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Dawkins, Dial, Diamont, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Gamble, Gardner, Gist, Gottovi, Grady, Greenwood, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, R. Hunter, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wainwright, Wilmoth, and Withrow - 93.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Beard, Brubaker, Buchanan, Cunningham, Dickson, Gray, Grimmer, Robinson, Warner, and Wood - 11.

H.B. 276, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ADMINISTRATION OF THE POLITICAL PARTIES FINANCING FUND, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 192, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE JUVENILE LAW STUDY COMMISSION TO ALLOW TERMINATION OF PARENTAL RIGHTS AFTER A PARENT HAS LEFT A CHILD IN FOSTER CARE FOR TWELVE MONTHS WITHOUT MAKING REASONABLE PROGRESS TOWARDS CORRECTING THE CONDITIONS THAT LED TO FOSTER CARE, passes its second reading by electronic vote (96-2).

Representative Jones objects to the third reading. The bill remains on the Calendar.

H.B. 290, A BILL TO BE ENTITLED AN ACT TO ALLOW NOTICE BY PUBLICATION OF HOUSING CODE ENFORCEMENT WHERE SERVICE BY CERTIFIED MAIL IS REFUSED, passes its second reading, by electronic vote (94-2), and there being no objection is read an third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 267, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "BUSINESS OPPORTUNITY".

On motion of Representative Morgan, consideration of the bill is postponed until April 9.

On motion of Representative Jack Hunt, seconded by Representative Hackney, the House adjourns at 7:45 p.m. to reconvene April 9 at 3:00 p.m.

FORTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 9, 1991

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments, and Calendar reports the Journal of April 8 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (93-0).

Leaves of absence are granted Representatives Buchanan, Colton, and Miller for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lutz for the Committee on Local and Regional Government II:

H.B. 545, A BILL TO BE ENTITLED AN ACT TO CHANGE THE AUDITS OF ABC PROFITS IN THE TOWN OF ANGIER FROM QUARTERLY TO ANNUALLY, with a favorable report.

H.B. 574, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF FOSCOE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H.B. 577, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF PINEHURST, with a favorable report as to committee substitute bill, which changes the title, unfavorable report as to bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

H.B. 583, A BILL TO BE ENTITLED AN ACT TO MODIFY THE COMPOSITION OF THE KINSTON-LENOIR COUNTY TOURISM DEVELOPMENT AUTHORITY, with a favorable report.

H.B. 587, A BILL TO BE ENTITLED AN ACT TO ALLOW OCEAN ISLE BEACH AND SUNSET BEACH TO REGULATE JET SKIING, with a favorable report as to committee substitute bill, which changes the title, unfavorable report as to bill.

The committee substitute bill is placed on the Calendar for April 11. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representative Mavretic, Chairman for the Standing Committee on State Government, refers:

H.B. 36, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE GENERAL CONTRACTORS LICENSING BOARD AND THE CODE OFFICIALS QUALIFICATION BOARD TO IMPLEMENT RECOMMENDATIONS OF THE STATE AUDITOR AND TO REPORT IMPLEMENTATION STATUS TO THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS, to the Permanent Subcommittee on State Boards and Commissions.

H.B. 37, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A HOMEOWNERS RECOVERY FUND UNDER THE SUPERVISION OF THE GENERAL CONTRACTORS LICENSING BOARD, to the Permanent Subcommittee on State Boards and Commissions.

H.B. 57, A BILL TO BE ENTITLED AN ACT TO CREATE A RAILROAD ADVISORY COMMISSION, to the Permanent Subcommittee on State Boards and Commissions.

H.B. 246, A BILL TO BE ENTITLED AN ACT TO REENACT A PORTION OF SECTION 2 OF CHAPTER 467, SESSION LAWS OF 1979, ESTABLISHING THE EQUITY INVESTMENT ADVISORY COMMITTEE, WHICH WAS INADVERTENTLY REPEALED BY SECTION 5 OF CHAPTER 751, SESSION LAWS OF 1987, to the Permanent Subcommittee on State Boards and Commissions.

H.B. 269, A BILL TO BE ENTITLED AN ACT TO AMEND THE PRIVATE PROTECTIVE SERVICES ACT TO REQUIRE REGISTRATION OF PROPRIETARY UNARMED GUARDS, TWO-YEAR TERMS FOR LICENSES AND REGISTRATIONS, AND TO INCREASE FEES, to the Permanent Subcommittee on State Boards and Commissions.

H.B. 332, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW REGARDING THE GOVERNOR'S APPOINTMENTS TO THE GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES TO FEDERAL LAW, to the Permanent Subcommittee on State Boards and Commissions.

H.B. 346, A BILL TO BE ENTITLED AN ACT TO INCREASE FEES CHARGED BY THE BOARD OF PODIATRY EXAMINERS AND TO PROVIDE FOR TEMPORARY PODIATRY LICENSES, to the Permanent Subcommittee on State Boards and Commissions.

H.B. 353, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AMENDMENTS TO THE PHARMACY PRACTICE ACT, to the Permanent Subcommittee on State Boards and Commissions.

H.B. 385, A BILL TO BE ENTITLED AN ACT TO AMEND THE MAKEUP OF THE YOUTH ADVISORY COUNCIL, to the Permanent Subcommittee on State Boards and Commissions.

H.B. 409, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES OR HIS DESIGNEE SHALL BE AN EX OFFICIO MEMBER OF THE NORTH CAROLINA FARMWORKER COUNCIL, to the Permanent Subcommittee on State Boards and Commissions.

H.B. 411, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE GOVERNOR'S COUNCIL ON PHYSICAL FITNESS AND HEALTH TO SANCTION THE STATE GAMES AND OTHER COMPETITIVE ATHLETIC EVENTS FOR WHICH SANCTIONING BY THE STATE IS REQUIRED, to the Permanent Subcommittee on State Boards and Commissions.

H.B. 186, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN DESIGNATED STATE PUBLICATIONS BE PRINTED ON ALKALINE PAPER, to the Permanent Subcommittee on State Parks, Facilities and Property.

H.B. 357, A BILL TO BE ENTITLED AN ACT TO SPECIFY THE POWERS OF THE BOARD OF MEDICAL EXAMINERS REGARDING REAL PROPERTY, to the Permanent Subcommittee on State Parks, Facilities and Property.

H.B. 58, A BILL TO BE ENTITLED AN ACT TO DESIGNATE DECEMBER SEVENTH AS PEARL HARBOR REMEMBRANCE DAY, to the Permanent Subcommittee on Military, Veterans and Indian Affairs.

H.B. 400, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE BOARD OF MORTUARY SCIENCE PROCEDURES, to the Permanent Subcommittee on Military, Veterans and Indian Affairs.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Hurley for the Permanent Subcommittee on Public Transportation of the Standing Committee on Transportation, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 299, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE DESIGNATION OF TRUCK ROUTES, with a favorable report.

SUBCOMMITTEE REFERRALS

Representative DeVane, Chairman for the Standing Committee on Environment, refers:

H.B. 620, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE RECYCLING OF LEAD-ACID BATTERIES AND TO OTHERWISE REGULATE THE DISPOSAL OF LEAD-ACID BATTERIES, to the Permanent Subcommittee on Solid Waste.

Representative Jerals, Chairman for the Standing Committee on Human Resources, refers:

H.B. 452, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON ANNUAL FEES CHARGED BY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO SUPPORT PUBLIC HEALTH PROGRAMS, AND TO EXEMPT NUTRITION PROGRAMS FOR THE ELDERLY FROM SUCH FEES, to the Permanent Subcommittee on Aging.

H.B. 505, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING RESPITE CARE, to the Permanent Subcommittee on Aging.

H.B. 93, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FAMILY PRESERVATION SERVICES, TO ESTABLISH THE COMMISSION ON FAMILY-CENTERED SERVICES, AND TO APPROPRIATE FUNDS FOR THE COMMISSION ON FAMILY-CENTERED SERVICES, to the Permanent Subcommittee on Children, Youth and Families.

H.B. 416, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND CORRECTIVE CHANGES TO THE CHILD DAY CARE LAW, to the Permanent Subcommittee on Children, Youth and Families.

H.B. 440, A BILL TO BE ENTITLED AN ACT TO ALLOW REPRESENTATIVES DESIGNATED BY THE COUNTY DIRECTOR OF SOCIAL SERVICES TO ACT ON BEHALF OF THE COUNTY DIRECTOR OF SOCIAL SERVICES, to the Permanent Subcommittee on Children, Youth and Families.

H.B. 542, A BILL TO BE ENTITLED AN ACT TO BEGIN THE PROCESS OF ADOPTING A REFORMED, UNIVERSAL, STATE-ADMINISTERED CHILD SUPPORT SYSTEM IN NORTH CAROLINA, to the Permanent Subcommittee on Children, Youth and Families.

H.B. 372, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW RELATING TO THERAPEUTIC LEAVE FOR MEDICAL ASSISTANCE PATIENTS, to the Permanent Subcommittee on Health and Mental Health.

H.B. 373, A BILL TO BE ENTITLED AN ACT TO INCLUDE QUALIFIED DISABLED WORKING INDIVIDUALS IN MEDICARE AS REQUIRED BY FEDERAL LAW, to the Permanent Subcommittee on Health and Mental Health.

H.B. 428, A BILL TO BE ENTITLED AN ACT TO ENHANCE MENTAL HEALTH, MENTAL RETARDATION, AND SUBSTANCE ABUSE CARE IN LOCAL CONFINEMENT FACILITIES, to the Permanent Subcommittee on Health and Mental Health.

H.B. 431, A BILL TO BE ENTITLED AN ACT TO REPEAL THE EXPIRATION DATE OF THE NORTH CAROLINA MEDICAL DATABASE COMMISSION, to the Permanent Subcommittee on Health and Mental Health.

H.B. 476, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE PUBLIC HEALTH STUDY COMMISSION, to the Permanent Subcommittee on Health and Mental Health.

H.B. 477, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STERILIZATION OF CATS AND DOGS ADOPTED FROM OR SOLD BY ANIMAL SHELTERS, to the Permanent Subcommittee on Health and Mental Health.

H.B. 498, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE QUALIFICATIONS FOR THE POSITION OF LOCAL HEALTH DIRECTOR, AND TO ESTABLISH A HEALTH DIRECTOR QUALIFICATION REVIEW COMMITTEE, to the Permanent Subcommittee on Health and Mental Health.

H.B. 499, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MISSION AND ESSENTIAL SERVICES OF THE PUBLIC HEALTH SYSTEM, to the Permanent Subcommittee on Health and Mental Health.

H.B. 532, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE SERVICES TO ESTABLISH SECURITY REQUIREMENTS FOR CONTROLLED SUBSTANCES, to the Permanent Subcommittee on Health and Mental Health.

H.B. 564, A BILL TO BE ENTITLED AN ACT TO REGULATE THE PRACTICE OF DIETETICS/NUTRITION, to the Permanent Subcommittee on Health and Mental Health.

H.B. 588, A BILL TO BE ENTITLED AN ACT TO REQUIRE HOSPITALS TO ITEMIZE CHARGES ON DISCHARGED PATIENT'S BILL, to the Permanent Subcommittee on Health and Mental Health.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 9, A BILL TO BE ENTITLED AN ACT TO REINSTATE SALES TAX ON MOPEDS, TOW DOLLIES, AND CERTAIN VEHICLE BODIES AND TO ESTABLISH A UNIFORM LONG-TERM LEASING RATE, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Mercer:

H.B. 623, A BILL TO BE ENTITLED AN ACT TO ALLOW COLUMBUS COUNTY TO ENTER INTO LONG-TERM SOLID WASTE DISPOSAL CONTRACTS AND FRANCHISE AGREEMENTS, is referred to the Committee on Local and Regional Government II.

By Representatives Fletcher, Buchanan, Flaherty, Huffman, Isenhower, and Robinson:

H.B. 624, A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITIES OF BURKE COUNTY AND THE MUNICIPALITIES THEREIN TO UNDERTAKE LOCAL DEVELOPMENT ACTIVITIES, is referred to the Committee on Local and Regional Government II.

By Representatives Brawley and Kahl:

H.B. 625, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE IREDELL COUNTY TO COLLECT CERTAIN FEES IN THE SAME MANNER AS AD VALOREM TAXES, is referred to the Committee on Finance.

By Representatives Jones, McLawhorn, and Rogers:

H.B. 626, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PITT COUNTY TO COLLECT SOLID WASTE FEES IN THE SAME MANNER AS AD VALOREM TAXES, is referred to the Committee on Finance.

By Representative Barnes:

H.B. 627, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE APPOINTMENT OF PUBLIC MEMBERS TO THE HEALTH SERVICES COMMISSION, is referred to the Committee on Human Resources.

By Representative Bowman:

H.B. 628, A BILL TO BE ENTITLED AN ACT TO LIMIT THE NUMBER OF HOURS THAT YOUTHS ENROLLED IN SCHOOL ARE ALLOWED TO WORK, is referred to the Committee on Economic Expansion.

By Representative Colton:

H.B. 629, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO MAINTAIN AND IMPROVE THE WILDERNESS CAMPING PROGRAM IN NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representative Redwine:

H.B. 630, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REDISTRICTING OF THE BRUNSWICK COUNTY BOARD OF COMMISSIONERS AND THE BRUNSWICK COUNTY BOARD OF EDUCATION, is referred to the Committee on Legislative and Local Redistricting.

By Representative Redwine:

H.B. 631, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT THE BRUNSWICK TOWN HISTORIC SITE, is referred to the Committee on Appropriations.

By Representative Redwine:

H.B. 632, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EXPANSION AND SUPPORT OF UNITED CEREBRAL PALSY CENTERS, is referred to the Committee on Appropriations.

By Representative James:

H.B. 633, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A TURFGRASS/FORAGE RESEARCH ASSESSMENT, is referred to the Committee on Agriculture.

By Representatives J. W. Crawford, Church, and Green:

H.B. 634, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF OXFORD TO CONVEY CERTAIN PROPERTY FOR CONSTRUCTION OF A NEW FIRE DEPARTMENT BY LEASE-PURCHASE ARRANGEMENT, is referred to the Committee on Local and Regional Government I.

By Representatives Fussell, Hensley, Jordan, and Stamey:

H.B. 635, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF RALEIGH TO LEVY A MOTOR VEHICLE TAX NOT TO EXCEED FIFTEEN DOLLARS, is referred to the Committee on Finance.

By Representatives Miller and Holmes:

H.B. 636, A BILL TO BE ENTITLED AN ACT TO PERMIT THE UTILITIES COMMISSION TO EXEMPT CELLULAR FROM REGULATION UNDER CHAPTER 62, is referred to the Committee on Public Utilities.

By Representatives Gist, Jarrell, and Jeffus:

H.B. 637, A BILL TO BE ENTITLED AN ACT TO EXPAND AND REDISTRICT THE GUILFORD COUNTY BOARD OF COMMISSIONERS, is referred to the Committee on Legislative and Local Redistricting.

CALENDAR

Action is taken on the following:

H.B. 273, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATION OF HENDERSON COUNTY'S OCCUPANCY TAX LAW, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holmes, Howard, Huffman, Jack Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jerald, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Morgan, Nye, Oldham, Pope, Privette, Redwine, Rhodes, Rhyne, Robinson, Russell, Smith, Stewart, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 101.

Voting in the negative: None.

Excused absences: Representatives Buchanan, Colton, and Miller - 3.

H.B. 275, A BILL TO BE ENTITLED AN ACT TO REPEAL PAMLICO COUNTY LOCAL MODIFICATION TO SUBDIVISION STATUTE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 10**, A BILL TO BE ENTITLED AN ACT TO ALLOW LESSORS AND RENTERS OF MOTOR VEHICLES TO ELECT TO PAY HIGHWAY USE TAX ON MOTOR VEHICLES OWNED ON OCTOBER 1, 1989, AND TO CLARIFY THAT THESE MOTOR VEHICLES ARE OTHERWISE SUBJECT TO THE GROSS RECEIPTS TAX, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 107.

Voting in the negative: None.

Excused absences: Representatives Buchanan, Colton, and Miller - 3.

Committee Substitute for **S.B. 177**, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 10 OF CHAPTER 65 TO ALLOW ACCESS TO AND MAINTENANCE OF PRIVATE GRAVES AND ABANDONED PUBLIC CEMETERIES.

The bill, as amended, passes its third reading, by electronic vote (110-0), and is ordered sent to the Senate for concurrence in House amendment.

H.B. 192, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE JUVENILE LAW STUDY COMMISSION TO ALLOW TERMINATION OF PARENTAL RIGHTS AFTER A PARENT HAS LEFT A CHILD IN FOSTER CARE FOR TWELVE MONTHS WITHOUT MAKING REASONABLE PROGRESS TOWARDS CORRECTING THE CONDITIONS THAT LED TO FOSTER CARE, passes its third reading, by electronic vote (76-33), and is ordered sent to the Senate.

House Committee Substitute for **S.B. 43**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AUTOMATIC CIVIL COMMITMENT OF A DEFENDANT CHARGED WITH A CRIME AND FOUND NOT GUILTY BY REASON OF INSANITY, TO SHIFT THE BURDEN OF PROOF TO THE DEFENDANT AT SUBSEQUENT HEARINGS ON RELEASE, AND TO MAKE OTHER CHANGES IN RELATED PROCEDURES, passes its second reading by electronic vote (107-2).

Representative Barnes objects to the third reading. The bill remains on the Calendar.

Representative Barnes withdraws her objection to the third reading.

Representative Barnes offers Amendment No. 1 which is adopted by electronic vote (101-0).

The bill, as amended, passes its third reading, by electronic vote (106-3), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Committee Substitute for **S.B. 157, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAWS GOVERNING ADMINISTRATIVE HEARINGS.**

Representative Hackney offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (107-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

H.B. 267, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "BUSINESS OPPORTUNITY", passes its second reading, by electronic vote (104-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 134, A BILL TO BE ENTITLED AN ACT AUTHORIZING COUNTIES AND CITIES TO ENACT ORDINANCES REQUIRING PRIVATE RECYCLERS TO REPORT ON THE RECYCLABLE MATERIALS SUBJECT TO THE GOAL SET FORTH IN G.S. 130A-309.04 THAT THE RECYCLER IS RECOVERING WITHIN THE COUNTY OR CITY**, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Jack Hunt, seconded by Representative Brawley, the House adjourns, by electronic vote (104-2), at 4:11 p.m. to reconvene April 10 at 3:00 p.m.

FORTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 10, 1991

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments, and Calendar reports the Journal of April 9 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (82-0).

Leaves of absence are granted Representatives Hackney, Judy Hunt, Jeralds, Miller, and Robinson for today.

POINT OF PERSONAL PRIVILEGE

Representative Mavretic rises on a point of personal privilege. He makes a brief statement regarding Astronaut Manley Lanier "Sonny" Carter's prior visit to the General Assembly and the returning to the House a letterhead signed by all members of the North Carolina House which he had taken into space and is displayed in the Cherry Point Marine Air Station Space Museum.

Representative Mavretic requests that at the appropriate time the House adjourn in memory of "Sonny" Carter, who was killed in an airplane crash on April 5, 1991.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Greenwood for the Committee on Pensions and Retirement:

H.B. 31, A BILL TO BE ENTITLED AN ACT TO PERMIT INJURED FIREMEN TO RECEIVE DISABILITY PAYMENTS UNDER THE NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AFTER ONE YEAR'S SERVICE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H.B. 365, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PAYMENT OF BENEFITS UNDER THE REGISTERS OF DEEDS' SUPPLEMENTAL PENSION FUND ON THE SAME DAY AS OTHER RETIREMENT BENEFITS ARE PAID, with a favorable report.

H.B. 366, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT OF SICK LEAVE CREDITABLE TOWARD RETIREMENT FOR LOCAL GOVERNMENT EMPLOYEES, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H.B. 367, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PAYMENT OF PENALTIES FOR LATE PAYMENT OF CONTRIBUTIONS BY EMPLOYERS PARTICIPATING IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, with a favorable report.

H.B. 368, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF "COMPENSATION" AS USED IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND

THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, with a favorable report.

By Representatives Hackney and Miller for the Committee on Finance:

Committee Substitute for **H.B. 225**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DARE COUNTY TO INCREASE ITS OCCUPANCY TAX, LEVY A RESTAURANT TAX, AND CREATE A TOURISM BOARD TO PROMOTE TOURISM IN DARE COUNTY, with a favorable report as to Committee Substitute Bill No. 2, which changes the bill to a local bill, with an unfavorable report as to Committee Substitute Bill No. 1.

Committee Substitute Bill No. 2 is placed on the Calendar for April 15. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 278, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF LONG BEACH TO ALLOW THE TOWN TO ASSESS BENEFITED PROPERTY FOR UNDERGROUNDING OF UTILITIES, AND FOR CONSTRUCTION OF PUBLIC STREETS BY NECESSITY, with a favorable report as to committee substitute bill, unfavorable report as to bill.

The committee substitute bill is placed on the Calendar for April 15. The original bill is placed on the Unfavorable Calendar.

H.B. 343, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO REDUCE ITS PRIVILEGE LICENSE TAX PENALTIES AND TO AUTHORIZE CERTAIN CITIES TO ALLOW CREDITS FOR PRIVILEGE LICENSE TAX PENALTIES, with a favorable report.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative J. W. Crawford for the Permanent Subcommittee on Water, Air and Soil of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 413, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM CIVIL PENALTY WHICH MAY BE ASSESSED FOR VIOLATIONS OF AIR QUALITY STANDARDS OR LIMITATIONS AND TO CORRECT A CROSS-REFERENCE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representative Albertson for the Permanent Subcommittee on Crops and Animal Husbandry of the Standing Committee on Agriculture, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 467, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "PESTICIDE APPLICATOR", with a favorable report.

H.B. 468, A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERMIT TO SELL BEES AND TO AUTHORIZE THE COMMISSIONER OF AGRICULTURE TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF THE BEE AND HONEY ACT, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Hasty for the Committee on Economic Expansion:

Committee Substitute for **H.B. 165, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE MAINTENANCE OF AFFORDABLE HOUSING STOCK**, with a favorable report as to Committee Substitute Bill No. 2, unfavorable report as to Committee Substitute Bill No. 1.

Committee Substitute Bill No. 2 is placed on the Calendar for April 15. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Chapin for the Permanent Subcommittee on Aquaculture and Marine Fisheries of the Standing Committee on Agriculture, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 118, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO SUBCHAPTER IV OF CHAPTER 113 OF THE NORTH CAROLINA GENERAL STATUTES CONCERNING MARINE FISHERIES, with a favorable report, as amended.

By Representative Beall for the Permanent Subcommittee on Forestry, Horticulture and Wildlife of the Standing Committee on Agriculture, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 374, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A PERSON HUNTING OR APPLYING FOR A HUNTING LICENSE TO SIGN A STATEMENT ON A FORM PROVIDED BY THE WILDLIFE RESOURCES COMMISSION CONFIRMING THAT HE HAD A HUNTING LICENSE PRIOR TO THE REQUIREMENT OF A HUNTER SAFETY COURSE, with a favorable report.

H.B. 392, A BILL TO BE ENTITLED AN ACT TO EXTEND THE REQUIREMENT THAT HUNTERS WEAR BLAZE ORANGE TO ENCOMPASS THE HUNTING OF OTHER TYPES OF GAME, with a favorable report as to committee substitute bill, unfavorable report as to bill.

The committee substitute bill is placed on the Calendar for April 15. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representatives Hackney and Miller, Chairmen for the Standing Committee on Finance, refer:

H.B. 354, A BILL TO BE ENTITLED AN ACT TO CHANGE CERTAIN FEES CHARGED BY THE BOARD OF PHARMACY, to the Permanent Subcommittee on State Revenues.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Jarrell for the Permanent Subcommittee on Airports, Railways and Waterways of the Standing Committee on Transportation, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 321, A BILL TO BE ENTITLED AN ACT TO EXEMPT REAL ESTATE ACQUIRED BY THE DEPARTMENT OF TRANSPORTATION FROM THE REQUIREMENT THAT IT BE APPRAISED BY LICENSED OR CERTIFIED APPRAISER WHEN THE ESTIMATED VALUE OF THE REAL ESTATE IS LESS THAN TEN THOUSAND DOLLARS, with a favorable report as to committee substitute bill, unfavorable report as to bill.

The committee substitute bill is placed on the Calendar for April 15. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEES REFERRALS

Representative Hardaway, Chairman for the Standing Committee on Commerce, refers:

H.B. 53, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ASSUMPTION FEES IN CONNECTION WITH CERTAIN REAL ESTATE LOANS, to the Permanent Subcommittee on Financial Institutions.

H.B. 55, A BILL TO BE ENTITLED AN ACT TO AMEND REGULATIONS PERTAINING TO MORTGAGE BANKERS AND BROKERS, to the Permanent Subcommittee on Financial Institutions.

H.B. 155, A BILL TO BE ENTITLED AN ACT TO MODIFY FINANCE CHARGE RATES FOR REVOLVING CHARGE ACCOUNT CONTRACTS, to the Permanent Subcommittee on Financial Institutions.

H.B. 503, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE BANKING LAWS, to the Permanent Subcommittee on Financial Institutions.

H.B. 504, A BILL TO BE ENTITLED AN ACT TO REGULATE BANK HOLDING COMPANIES, to the Permanent Subcommittee on Financial Institutions.

H.B. 565, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIRED PERIOD OF EXISTENCE FOR A BANK OR

SUBSIDIARY BANK OF A BANK HOLDING COMPANY BEFORE IT MAY BE SUBJECT TO INTERSTATE ACQUISITION, to the Permanent Subcommittee on Financial Institutions.

H.B. 580, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BANKING COMMISSION TO DEVELOP A PLAN TO PROVIDE, AS A SERVICE TO THE GENERAL PUBLIC, INFORMATION ON THE FINANCIAL SOUNDNESS OF BANKS, to the Permanent Subcommittee on Financial Institutions.

H.B. 621, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENTS FOR CONTINUING EDUCATION OF INSURANCE LICENSEES, to the Permanent Subcommittee on Insurance.

GUESTS

Representative Chapin is recognized and is granted permission to approach the Well of the House. Representative Chapin requests and the Speaker grants permission for Representatives Wicker, Rhyne, Fitch, and Esposito to escort special guests to the Well of the House.

Representative Chapin introduces the following U.S.A. All American Academic students and gives a brief synopsis of the achievements of each: Ashley Reiter, N.C. School of Science and Math; Cheryl Childs, Bennett College; Nancy Adams, Catawba College; Michael Smith, N.C. A & T State University; and Bobby Rosebloum, Duke University.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Greenwood, Colton, N. J. Crawford, and Nesbitt:

H.B. 638, A BILL TO BE ENTITLED AN ACT EXTENDING THE EXTRATERRITORIAL JURISDICTION OF THE TOWN OF MONTREAT, is referred to the Committee on Local and Regional Government II.

By Representatives Ligon, Dockham, Gardner, Hege, Howard, Russell, and Wilson:

H.B. 639, A BILL TO BE ENTITLED AN ACT TO GENERALLY REDUCE BY FIFTEEN PERCENT THE SALARIES OF STATE OFFICIALS, STATE EMPLOYEES AND PUBLIC SCHOOL EMPLOYEES EARNING MORE THAN FIFTY THOUSAND DOLLARS PER YEAR, AND TO REDUCE THE SALARIES OF MEMBERS OF THE GENERAL ASSEMBLY BY FIFTEEN PERCENT, is referred to the Committee on Appropriations.

By Representatives Privette and Bowman:

**H.B. 640, A BILL TO BE ENTITLED AN ACT TO PERMIT AD-
OPTIVE PARENTS TO PAY MEDICAL EXPENSES OF THE
CHILD'S BIOLOGICAL MOTHER**, is referred to the Committee on
Judiciary III.

By Representative Loflin:

H.B. 641, A BILL TO BE ENTITLED AN ACT TO EXEMPT UNION COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE CONSTRUCTION OF A COUNTY DETENTION FACILITY, is referred to the Committee on Local and Regional Government I.

By Representatives Withrow and Jack Hunt:

H.B. 642, A BILL TO BE ENTITLED AN ACT TO INCORPORATE CHIMNEY ROCK VILLAGE IN RUTHERFORD COUNTY, is referred to the Committee on Local and Regional Government II.

By Representative Dawkins:

H.B. 643, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE LOW-LEVEL RADIOACTIVE WASTE DISPOSAL FACILITY TO BE LOCATED IN NORTH CAROLINA BE SITED ON OR ADJACENT TO AN EXISTING NUCLEAR POWER PLANT, is referred to the Committee on Public Utilities.

By Representatives Dawkins and Warner:

H.B. 644, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMMISSION TO DESIGNATE A STATE TO HOST THE THIRD REGIONAL DISPOSAL FACILITY AS A CONDITION TO THE DESIGNATION OF A PREFERRED SITE FOR A LOW-LEVEL RADIOACTIVE WASTE DISPOSAL FACILITY IN THIS STATE, is referred to the Committee on Environment.

By Representatives Dawkins and Warner:

H.B. 645, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ONE OF THE MEMBERS OF THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMMISSION FROM NORTH CAROLINA RESIDE IN A COUNTY IN WHICH THE REGIONAL DISPOSAL FACILITY IS SITED, is referred to the Committee on Environment.

By Representative Dawkins:

H.B. 646, A BILL TO BE ENTITLED AN ACT CONCERNING LOCAL GOVERNMENT IN RICHMOND AND SCOTLAND COUNTIES, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Dawkins:

H.B. 647, A BILL TO BE ENTITLED AN ACT CONCERNING RICHMOND COUNTY AND THE MUNICIPALITIES THEREIN, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Mercer:

H.B. 648, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COLUMBUS COUNTY TO COLLECT SOLID WASTE FEES IN

THE SAME MANNER AS AD VALOREM TAXES AND, IN THE CASE OF NONPAYMENT, TO IMPOSE A LIEN ON REAL PROPERTY AND TO USE ALL THE REMEDIES THAT MAY BE USED FOR THE COLLECTION OF DELINQUENT AD VALOREM TAXES, is referred to the Committee on Finance.

By Representative Thompson:

H.B. 649, A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD OF ELECTING THE PERQUIMANS COUNTY BOARD OF COMMISSIONERS, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Thompson:

H.B. 650, A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD OF ELECTING THE PERQUIMANS COUNTY BOARD OF EDUCATION, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Thompson:

H.B. 651, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF MANTEO, is referred to the Committee on Local and Regional Government I.

By Representatives Thompson and James:

H.B. 652, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MANNER OF FILLING VACANCIES IN THE OFFICE OF THE REGISTERS OF DEEDS OF CAMDEN, CHOWAN, PASQUOTANK, AND PERQUIMANS COUNTIES, is referred to the Committee on Local and Regional Government I.

By Representative Culp:

H.B. 653, A BILL TO BE ENTITLED AN ACT TO CREATE A TAX COMMISSION FOR RANDOLPH COUNTY, TO PROVIDE FOR THE APPOINTMENT OF A TAX ASSESSOR, A TAX COLLECTOR, AND A SPECIAL BOARD OF EQUALIZATION AND REVIEW FOR RANDOLPH COUNTY, AND TO DEFINE THE POWERS AND DUTIES OF THE TAX COMMISSION, ASSESSOR, TAX COLLECTOR, AND SPECIAL BOARD OF EQUALIZATION AND REVIEW, is referred to the Committee on Local and Regional Government II.

By Representatives Fitch, Abernethy, Barnes, Barnhill, Beard, Bowman, Chapin, Colton, N. J. Crawford, Cunningham, Dawkins, DeVane, Diamont, Easterling, Flaherty, Fussell, Gist, Gottovi, Green, Greenwood, Hackney, Hardaway, Judy Hunt, H. Hunter, R. Hunter, Jeralds, Jones, Kennedy, Kimsey, Lineberry, Luebke, McAllister, McLaughlin, Michaux, Miller, Oldham, Payne, Robinson, Stamey, and Wainwright:

H.B. 654, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT THE ACCESS TO CIVIL JUSTICE ACT, is referred to the Committee on Appropriations.

By Representative Wilson:

H.B. 655, A BILL TO BE ENTITLED AN ACT TO AMEND THE ELECTION LAWS CONCERNING INFORMATION PROVIDED ON VOTER LISTS, PROVISION OF COMPUTER DISCS OR TAPES, AND PROVIDING THAT REGISTRANTS SHALL PROVIDE THEIR TELEPHONE NUMBER, IF ANY, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Kahl, Barnes, Brawley, Brown, Buchanan, Colton, J. W. Crawford, Creech, Cunningham, Fitch, Flaherty, Greenwood, Hackney, Hardaway, Holt, H. Hunter, James, Jeralds, Jones, Justus, Kimsey, Lutz, McLaughlin, Privette, Redwine, Rogers, Russell, Stewart, Thompson, Wainwright, Warner, Wicker, and Woodard:

H.B. 656, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA RURAL WATER ASSOCIATION FOR OPERATING EXPENSES, is referred to the Committee on Appropriations.

By Representative Decker:

H.B. 657, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF WHITSETT IN GUILFORD COUNTY, is referred to the Committee on Local and Regional Government I.

By Representative Abernethy:

H.B. 658, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PERMANENT REGISTRATION PLATES REFLECTING THE MODEL YEAR OF A MOTOR VEHICLE, is referred to the Committee on Transportation.

By Representatives Grady, Ethridge, and Smith:

H.B. 659, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING ON, FROM, OR ACROSS THE RIGHT-OF-WAY OF PUBLIC ROADS OR HIGHWAYS IN ONSLOW COUNTY WITHOUT THE WRITTEN PERMISSION OF THE LANDOWNER OR LESSEE AND TO CHANGE THE LAW REGARDING TRESPASSING ON POSTED LAND IN ONSLOW COUNTY, is referred to the Committee on Local and Regional Government II.

By Representatives Grady, Ethridge, and Smith:

H.B. 660, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATION OF TOWN OF NORTH TOPSAIL BEACH OR ONSLOW COUNTY ORDINANCES, is referred to the Committee on Local and Regional Government II.

By Representative Kimsey:

H.B. 661, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE CLAY COUNTY BOARD OF EDUCATION FROM PARTISAN TO NONPARTISAN, is referred to the Committee on Local and Regional Government I.

By Representative Mavretic:

H.B. 662, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW PROVIDING FOR THE DISPOSITION BY LAUNDRIES AND DRY CLEANERS OF UNCLAIMED GARMENTS, is referred to the Committee on Economic Expansion.

By Representative Mavretic:

H.B. 663, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAW RELATING TO SUPPLEMENTAL RETIREMENT FUNDS FOR FIREMEN IN THE CITY OF ROCKY MOUNT TO PROVIDE A SUPPLEMENTAL RETIREMENT FUND FOR THE FIREMEN, is referred to the Committee on Pensions and Retirement.

By Representative Jones:

H.B. 664, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF FARMVILLE, is referred to the Committee on Local and Regional Government II.

By Representative Decker:

H.B. 665, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SUMMERFIELD IN GUILFORD COUNTY SUBJECT TO A REFERENDUM, is referred to the Committee on Local and Regional Government I.

By Representative Decker:

H.B. 666, A BILL TO BE ENTITLED AN ACT TO DELAY ANEXATION OF SEDGE GARDEN BY WINSTON-SALEM, is referred to the Committee on Local and Regional Government I.

By Representatives Jack Hunt and Lutz:

H.B. 667, A BILL TO BE ENTITLED AN ACT TO REQUIRE AN APPLICANT SEEKING A PERMIT NOT DISCHARGING TO THE SURFACE WATERS OF THE STATE TO PROVIDE NOTICE TO THE CLERK OF EACH CITY AND COUNTY GOVERNMENT HAVING JURISDICTION OVER THE PROPOSED PERMIT, is referred to the Committee on Environment.

By Representative Redwine:

H.B. 668, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF SOUTHPORT TO PROVIDE FOR THE PLACEMENT OF THE POSITION OF TAX COLLECTOR UNDER THE SUPERVISION OF THE CITY MANAGER, is referred to the Committee on Local and Regional Government II.

By Representative Brawley:

H.B. 669, A BILL TO BE ENTITLED AN ACT TO ALLOW THE EXTENSION OF A SUPPLEMENTAL SCHOOL TAX IN EFFECT IN ONE UNIT TO THE ENTIRETY OF A MERGED UNIT ONLY

WITH A VOTE OF THE PEOPLE, is referred to the Committee on Finance.

By Representative Brawley:

H.B. 670, A BILL TO BE ENTITLED AN ACT TO ANNEX MECK NECK OF MECKLENBURG COUNTY TO IREDELL COUNTY, is referred to the Committee on Local and Regional Government II.

By Representatives Jeralds and Warner:

H.B. 671, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT VOTER LISTS MAY BE PROVIDED BY COUNTY BOARDS OF ELECTIONS ONLY FOR POLITICAL ENTITIES AND FOR JURY SELECTION PURPOSES, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Jeralds and Warner:

H.B. 672, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FILING PERIOD FOR THE CUMBERLAND COUNTY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government I.

By Representative Jack Hunt:

H.B. 673, A BILL TO BE ENTITLED AN ACT TO CORRECT A TYPOGRAPHICAL ERROR IN THE LAW PROVIDING FOR AN EXEMPTION FROM THE DEFINITION OF THE PRACTICE OF DENTISTRY FOR SUPERVISED NURSE ANESTHETISTS INVOLVED IN THE ADMINISTRATION OF ANESTHESIA, is referred to the Committee on Human Resources.

By Representatives Holmes and Brown:

H.B. 674, A BILL TO BE ENTITLED AN ACT TO MERGE THE TOWNS OF JONESVILLE AND ARLINGTON IN YADKIN COUNTY, SUBJECT TO A REFERENDUM, is referred to the Committee on Local and Regional Government II.

By Representatives Brown and Holmes:

H.B. 675, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CLEAN UP THE WATTS RETREAT FARM WASTE DISPOSAL SITE, AN ABANDONED MIXED LOW-LEVEL RADIOACTIVE AND HAZARDOUS WASTE DISPOSAL SITE LOCATED IN WILKES COUNTY, is referred to the Committee on Appropriations.

By Representatives Hardaway, Church, J. W. Crawford, and Green:

H.B. 676, A BILL TO BE ENTITLED AN ACT CHANGING THE TIME NEWLY ELECTED MEMBERS OF THE HALIFAX COUNTY BOARD OF EDUCATION SHALL QUALIFY, is referred to the Committee on Local and Regional Government I.

By Representatives Hardaway, Church, J. W. Crawford, and Green:

H.B. 677, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MODEL TEACHER EDUCATION CONSORTIUM, is referred to the Committee on Appropriations.

By Representatives Holt, Bowman, Sam Hunt, and Wilson:

H.B. 678, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF BURLINGTON TO SELL SURPLUS PROPERTY TO THE RALPH SCOTT GROUP HOMES, INCORPORATED, BY PRIVATE SALE, is referred to the Committee on Local and Regional Government II.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for House Committee Substitute for **H.B. 157**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO WITH RESPECT TO FAIR HOUSING, is returned for concurrence in Senate committee substitute and referred to the Committee on Local and Regional Government I.

S.B. 183, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE AGENCIES STUDY HOW BEST TO COORDINATE STATE AGENCIES' PROGRAMS AND SERVICES FOR THE HOMELESS, is read the first time and referred to the Committee on State Government.

S.B. 213, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN LAND IN HAMMOCKS BEACH STATE PARK FROM THE STATE NATURE AND HISTORIC PRESERVE AND THE STATE PARKS SYSTEM TO ALLOW THE EXCHANGE OF PROPERTY FOR BOUNDARY MANAGEMENT, is read the first time and referred to the Committee on State Government.

Committee Substitute for **S.B. 245**, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE ENFORCEMENT PROVISIONS OF THE NORTH CAROLINA SECURITIES ACT AND THE INVESTMENT ADVISERS ACT, is read the first time and referred to the Committee on Judiciary III.

S.B. 347, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COUNTY TAX ASSESSOR SHALL MAKE CERTAIN TAXPAYER BUSINESS RECORDS AVAILABLE TO THE EMPLOYMENT SECURITY COMMISSION ON REQUEST, is read the first time and referred to the Committee on Economic Expansion.

S.B. 384, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PROCEDURE FOR ISSUING NONRESIDENT NONCOMPLIANCE REPORTS AND TO MAKE CHANGES REGARDING SUSPENSION AND REVOCATION OF DRIVERS LICENSES, is read the first time and referred to the Committee on Judiciary I.

S.B. 399, A BILL TO BE ENTITLED AN ACT TO REDUCE FROM SIX TO THREE MONTHS THE TIME FOR PRESENTATION OF CLAIMS AGAINST A DECEDENT'S ESTATE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary I.

S.B. 419, A BILL TO BE ENTITLED AN ACT TO ALLOW FILING OF COURT PAPERS BY TELEFACSIMILE TRANSMISSION

PURSUANT TO RULES ESTABLISHED BY THE SUPREME COURT AND THE ADMINISTRATIVE OFFICER OF THE COURTS, is read the first time and referred to the Committee on Judiciary II.

S.B. 424, A BILL TO BE ENTITLED AN ACT TO EXPAND THE AUTHORITY OF THE ADMINISTRATIVE OFFICER OF THE COURTS TO CONTRACT FOR THE SERVICES OF PRIVATE ATTORNEYS FOR SPECIALIZED REPRESENTATION OF INDIGENTS AND TO EXPAND THE AUTHORITY OF THE COURTS TO REQUIRE PAYMENT OF ATTORNEYS' FEES BY PARENTS WHO ARE FINANCIALLY ABLE TO PAY, is read the first time and referred to the Committee on Judiciary III.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 128, AN ACT TO PROVIDE FOR THE SYSTEMATIC REVIEW OF PROPERTY EXEMPTED OR EXCLUDED FROM PROPERTY TAXATION AND TO ALLOW PROPERTY THAT WAS ERONEOUSLY EXEMPTED OR EXCLUDED TO BE TREATED AS DISCOVERED PROPERTY. (CHAPTER 34)

CALENDAR

Action is taken on the following:

H.B. 291, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO LEVY A MOTOR VEHICLE TAX NOT TO EXCEED TWENTY-FIVE DOLLARS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Barnes, Barnhill, Beall, Beard, Black, Bowie, Bowman, Brawley, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Dial, Diamond, Dickson, Easterling, Ethridge, Fitch, Flaherty, Foster, Fussell, Gist, Gottovi, Gray, Green, Greenwood, Grimmer, Hasty, Hensley, Hightower, Holmes, Holt, Huffman, Jack Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kennedy, Kerr, Lilley, Lineberry, Luebke, Lutz, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Nye, Oldham, Redwine, Rhodes, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Withrow, and Woodard - 80.

Voting in the negative: Representatives Balmer, Brown, Brubaker, Creech, Decker, Dockham, Esposito, Fletcher, Grady, Hege, Howard, Kahl, Kimsey, Lewis, Ligon, Loflin, McAllister, Morgan, Pope, Privette, Rhyne, Russell, Wilson, and Wood - 24.

Excused absences: Representatives Hackney, Judy Hunt, Jeralds, Miller, and Robinson - 5.

H.B. 545, A BILL TO BE ENTITLED AN ACT TO CHANGE THE AUDITS OF ABC PROFITS IN THE TOWN OF ANGIER FROM

QUARTERLY TO ANNUALLY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 583, A BILL TO BE ENTITLED AN ACT TO MODIFY THE COMPOSITION OF THE KINSTON-LENOIR COUNTY TOURISM DEVELOPMENT AUTHORITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 9, A BILL TO BE ENTITLED AN ACT TO REINSTATE SALES TAX ON MOPEDS, TOW DOLLIES, AND CERTAIN VEHICLE BODIES AND TO ESTABLISH A UNIFORM LONG-TERM LEASING RATE.

On motion of Representative Nesbitt, consideration of the bill is postponed until April 11.

House Committee Substitute for Senate Committee Substitute for **S.B. 136, A BILL TO BE ENTITLED AN ACT TO EXTEND THE LIMITED LIABILITY PROTECTION UNDER THE TRAILS SYSTEM TO LANDOWNERS, UNITS OF GOVERNMENT, TRAIL DEVELOPERS, AND TRAIL MAINTAINERS**, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

H.B. 299, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE DESIGNATION OF TRUCK ROUTES.

On motion of Representative Church, the bill is withdrawn from the Calendar and re-referred to the Committee on Transportation.

RE-REFERRAL

On motion of Representative Bowman, **H.B. 628, A BILL TO BE ENTITLED AN ACT TO LIMIT THE NUMBER OF HOURS THAT YOUTHS ENROLLED IN SCHOOL ARE ALLOWED TO WORK**, is withdrawn from the Committee on Economic Expansion and re-referred to the Committee on Education.

On motion of Representative Jack Hunt, seconded by Representative Mavretic, the House adjourns in memory of Astronaut Sonny Carter at 4:45 p.m. to reconvene April 11 at 3:00 p.m.

FORTY-SECOND DAY

HOUSE OF REPRESENTATIVES

Thursday, April 11, 1991

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Dawkins.

Representative Jack Hunt, for the Committee on Rules, Appointments, and Calendar reports the Journal of April 10 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (96-0).

Leaves of absence are granted Representatives Brubaker, Colton, and Hardaway for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Kennedy for the Committee on Judiciary I:

H.B. 94, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE INSPECTIONS OF ABC LICENSED PREMISES BY LOCAL LAW ENFORCEMENT OFFICERS, with an unfavorable report.

By Representative Dawkins for the Committee on Judiciary II:

H.B. 330, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF MOTOR VEHICLE DEALER, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 16. The original bill is placed on the Unfavorable Calendar.

H.B. 479, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONSENT TO ADOPTION IS NOT REVOCABLE AFTER A CERTAIN PERIOD OF TIME, with a favorable report.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittees are presented:

By Representative J. W. Crawford for the Permanent Subcommittee on Water, Air and Soil of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 25, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ESTABLISH A COMMUNITY SERVICE PROGRAM; AND TO REQUIRE THAT COMMUNITY SERVICE MUST BE PERFORMED IN EXCHANGE FOR REMITTED FINES, with a favorable report as to committee substitute bill which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 16. The original bill is placed on the Unfavorable Calendar.

H.B. 410, A BILL TO BE ENTITLED AN ACT TO AMEND THE ENVIRONMENTAL POLICY ACT OF 1971 AND TO MAKE THE ACT PERMANENT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 16. The original bill is placed on the Unfavorable Calendar.

By Representative Hightower for the Permanent Subcommittee on Hazardous Waste of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 572, A BILL TO BE ENTITLED AN ACT TO ALLOW DISCRETION BY THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AS TO WHETHER TO SEEK FEDERAL APPROVAL OF ANY INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE CLEANUP, with a favorable report.

By Representative Lineberry for the Permanent Subcommittee on Small Business of the Standing Committee on Economic Expansion, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 249, A BILL TO BE ENTITLED AN ACT TO EXTEND BY TWO YEARS THE PERIOD DURING WHICH A SMALL BUSINESS CONCERN MAY REMAIN IN AN INCUBATOR FACILITY, with a favorable report.

SUBCOMMITTEE REFERRALS

Representative DeVane, Chairman for the Standing Committee on Environment, refers:

H.B. 644, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMMISSION TO DESIGNATE A STATE TO HOST THE THIRD REGIONAL DISPOSAL FACILITY AS A CONDITION TO THE DESIGNATION OF A PREFERRED SITE FOR A LOW-LEVEL RADIOACTIVE WASTE DISPOSAL FACILITY IN THIS STATE, to the Permanent Subcommittee on Hazardous Waste.

H.B. 645, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ONE OF THE MEMBERS OF THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMMISSION FROM NORTH CAROLINA RESIDE IN A COUNTY IN WHICH THE REGIONAL DISPOSAL FACILITY IS SITED, to the Permanent Subcommittee on Hazardous Waste.

H.B. 667, A BILL TO BE ENTITLED AN ACT TO REQUIRE AN APPLICANT SEEKING A PERMIT NOT DISCHARGING TO THE SURFACE WATERS OF THE STATE TO PROVIDE NOTICE TO THE CLERK OF EACH CITY AND COUNTY GOVERNMENT HAVING JURISDICTION OVER THE PROPOSED PERMIT, to the Permanent Subcommittee on Water, Air and Soil.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Barnhill for the Permanent Subcommittee on Health and Mental Health of the Standing Committee on Human

Resources, with approval of the standing committee chairman for report to be made directly to the floor of the House:

H.B. 183, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO CONDUCT VARIOUS HEALTH-RELATED PROJECTS, with a favorable report.

REPORT OF COMMITTEE

The following reports from standing committee is presented:

By Representative Barnes for the Committee on Education:

H.B. 222, A BILL TO BE ENTITLED AN ACT TO MAKE THE PROGRAMS OF THE UNIVERSITY OF NORTH CAROLINA ACCESSIBLE TO HANDICAPPED PERSONS, with a favorable report and recommendation that the bill is re-referred to the Committee on Appropriations.

H.B. 302, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA CENTER FOR APPLIED TEXTILE TECHNOLOGY, with a favorable report.

H.B. 333, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF EDUCATION TO ADOPT RULES REGARDING THE DISPOSITION OF OLD TEXTBOOKS AND OTHER INSTRUCTIONAL MATERIAL, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives McLaughlin, Barbee, Bowie, Bowman, Creech, DeVane, Easterling, Flaherty, Foster, Gottovi, Hasty, Mavretic, Privette, Warner, and Wilson:

H.B. 679, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN DRUG OFFENSES COMMITTED WITHIN ONE THOUSAND FEET OF A SCHOOL SHALL BE PUNISHABLE AS CLASS E FELONIES, is referred to the Committee on Judiciary II.

By Representative Fletcher:

H.B. 680, A BILL TO BE ENTITLED AN ACT TO EXEMPT BURKE COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE CONSTRUCTION OF A COUNTY DETENTION FACILITY, is referred to the Committee on Local and Regional Government II.

By Representative Fletcher:

H.B. 681, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ANNEXATION OF CAROLINA MILLS, INC., PROPERTY BY THE TOWN OF VALDESE AFTER A FIXED PERIOD OF TIME, is referred to the Committee on Local and Regional Government II.

By Representatives Gottovi and Payne:

H.B. 682, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FINE FOR VIOLATIONS OF CERTAIN NEW HANOVER COUNTY ORDINANCES AND OF CERTAIN ORDINANCES OF THE MUNICIPALITIES THEREIN, is referred to the Committee on Local and Regional Government II.

By Representatives Gottovi and Payne:

H.B. 683, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WILMINGTON TO AUTHORIZE ZONING DENSITY BONUSES IN PROJECTS CONTAINING SPECIFIED AMOUNTS OF LOW AND MODERATE INCOME HOUSING, is referred to the Committee on Local and Regional Government I.

By Representative Creech:

H.B. 684, A BILL TO BE ENTITLED AN ACT ALLOWING JOHNSTON COUNTY IN ARRIVING AT THE AMOUNT OF CONSIDERATION FOR AN ECONOMIC DEVELOPMENT CONVEYANCE TO TAKE INTO ACCOUNT PROSPECTIVE REVENUES GENERATED BY THE DEVELOPMENT, is referred to the Committee on Local and Regional Government I.

By Representative Diamont and Wilmoth:

H.B. 685, A BILL TO BE ENTITLED AN ACT REGARDING DISCOUNTS FOR PAYMENTS OF PROPERTY TAX IN SURRY COUNTY, is referred to the Committee on Local and Regional Government II.

By Representatives Diamont and Wilmoth:

H.B. 686, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF WALNUT COVE, is referred to the Committee on Local and Regional Government II.

By Representatives Luebke, Barnes, Barnhill, Beall, Colton, Dial, Gist, Gottovi, Green, McAllister, Stamey, Warner, and Withrow:

H.B. 687, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT BOATS, AIRCRAFT, AND LOCOMOTIVES WILL BE SUBJECT TO STATE AND LOCAL SALES TAX WITHOUT PREFERENCES OR EXEMPTIONS, is referred to the Committee on Finance.

By Representative Rogers:

H.B. 688, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MARTIN COUNTY TO LEVY A ROOM OCCUPANCY AND TRAVEL AND TOURISM TAX, is referred to the Committee on Finance.

By Representatives Ramsey and Beall:

H.B. 689, A BILL TO BE ENTITLED AN ACT TO REDISTRICT THE MADISON COUNTY BOARD OF EDUCATION, CHANGE

THE MANNER OF ELECTION FROM PARTISAN TO NONPARTISAN, CHANGE THE TIME OF TAKING OFFICE FROM APRIL TO DECEMBER, AND PROVIDE FOR THE SEPARATE ELECTION OF THE CHAIRMAN, ALL SUBJECT TO A REFERENDUM, is referred to the Committee on Legislative and Local Redistricting.

By Representative Dawkins:

H.B. 690, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE ASSIGNMENT OF COUNSEL FOR INDIGENT PERSONS, is referred to the Committee on Judiciary II.

By Representatives Gardner and Ligon:

H.B. 691, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CITY OF SALISBURY'S LOCAL MODIFICATIONS TO G.S. 58-84-35, is referred to the Committee on Local and Regional Government I.

By Representatives Woodard, Hensley, Jordan, McLawhorn, Smith, and Warner:

H.B. 692, A BILL TO BE ENTITLED AN ACT TO PROVIDE MONTHLY DISABILITY BENEFITS FOR MEMBERS OF THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND WHO ARE DISABLED FOR REASONS OTHER THAN THE DISCHARGE OF THEIR OFFICIAL DUTIES, is referred to the Committee on Pensions and Retirement.

By Representatives Warner, Barnes, Colton, Gottovi, Hurley, Luebke, McAllister, Stamey, and Withrow:

H.B. 693, A BILL TO BE ENTITLED AN ACT TO LEVY A ONE-CENT PER PACK LICENSE TAX ON CIGARETTE MANUFACTURERS AND TO REPEAL THE CURRENT TWO-CENT PER PACK EXCISE TAX ON CIGARETTES, is referred to the Committee on Finance.

By Representatives Jones (by request) and Rogers:

H.B. 694, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE GREENVILLE UTILITIES COMMISSION OF THE CITY OF GREENVILLE, is referred to the Committee on Public Utilities.

By Representative Rhyne:

H.J.R. 695, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS OF THOMAS W. D'ALONZO AND KENNETH R. HARRIS TO MEMBERSHIP ON THE STATE BOARD OF EDUCATION, is referred to the Committee on Education.

By Representative Gamble:

H.J.R. 696, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE PRESENT

SYSTEM OF REGULATING AND TAXING BANKS, SAVINGS INSTITUTIONS, AND CREDIT UNIONS, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Gamble, Gottovi, and Withrow:

H.B. 697, A BILL TO BE ENTITLED AN ACT TO MODIFY THE OATH OF OFFICE FOR MEMBERS OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Privette:

H.B. 698, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON OR GROUP OF PERSONS WHO ENGAGE IN PROFESSIONAL GAMBLING SHALL BE GUILTY OF A CLASS H FELONY, is referred to the Committee on Judiciary III.

By Representatives Hurley, Beard, Jeralds, McAllister, and Warner:

H.B. 699, A BILL TO BE ENTITLED AN ACT TO AMEND THE FAYETTEVILLE CITY CHARTER RELATING TO THE FAYETTEVILLE SUPPLEMENTAL FIREMEN'S FUND, is referred to the Committee on Local and Regional Government II.

By Representatives Hurley and Warner:

H.J.R. 700, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY PUBLIC TRANSPORTATION, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives DeVane and Dial:

H.B. 701, A BILL TO BE ENTITLED AN ACT TO ELIMINATE LEGISLATIVE APPOINTMENTS TO THE BOARD OF EDUCATION FOR THE PUBLIC SCHOOLS OF ROBESON COUNTY, is referred to the Committee on Local and Regional Government I.

By Representatives Dial and DeVane:

H.B. 702, A BILL TO BE ENTITLED AN ACT CONCERNING REDISTRICTING FOR LOCAL ELECTIONS IN ROBESON COUNTY, is referred to the Committee on Legislative and Local Redistricting.

By Representative Stamey:

H.B. 703, A BILL TO BE ENTITLED AN ACT CONCERNING LOCAL REVENUE OPTIONS FOR WAKE COUNTY, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Stamey:

H.B. 704, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL REVENUE SOURCES FOR WAKE COUNTY, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Stamey:

H.B. 705, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL REVENUE SOURCES FOR WAKE COUNTY, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Stamey:

H.B. 706, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL REVENUE SOURCES FOR WAKE COUNTY, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Lutz and Withrow:

H.B. 707, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE POLK COUNTY TO LEVY A ONE PERCENT LOCAL LAND TRANSFER TAX, is referred to the Committee on Finance.

By Representative R. Hunter:

H.B. 708, A BILL TO BE ENTITLED AN ACT TO AMEND THE DATE OF PERFECTION FOR MOTOR VEHICLE LIENS, is referred to the Committee on Judiciary III.

By Representatives Robinson, Abernethy, Albertson, Anderson, Balmer, Barbee, Black, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, DeVane, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Gray, Greenwood, Grimmer, Hasty, Hege, Hightower, Holmes, Howard, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeralds, Jones, Jordan, Justus, Kahl, Kerr, Kimsey, Ligon, Lilley, Lineberry, Loflin, Lutz, McLaughlin, McLawhorn, Mavretic, Mercer, Morgan, Nesbitt, Oldham, Payne, Pope, Privette, Redwine, Rhodes, Rhyne, Rogers, Thompson, Wicker, Wilmoth, Wilson, Withrow, and Wood:

H.B. 709, A BILL TO BE ENTITLED AN ACT TO PROVIDE A MECHANISM TO ESTABLISH A STATEWIDE, AUTOMATED PROGRAM FOR THE CHEMICAL TESTING FOR ALCOHOL IN IMPAIRED DRIVERS AND TO MAKE THE ADMINISTRATION OF THAT PROGRAM MORE EFFECTIVE, is referred to the Committee on Judiciary I.

By Representative Gamble:

H.B. 710, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PERMANENT RECORDING OF TITLES ISSUED MANUFACTURED HOMES AND MOBILE HOMES, is referred to the Committee on Transportation.

By Representative Anderson:

H.B. 711, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE ORIGINAL NAME OF SR 1632 IN CRAVEN COUNTY AS "NEW ROAD", is referred to the Committee on Local and Regional Government II.

By Representative Anderson:

H.B. 712, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING ON, FROM, OR ACROSS THE RIGHT-OF-WAY OF N.C. HIGHWAY 55 AND N.C. HIGHWAY 306 IN PAMLICO COUNTY, is referred to the Committee on Local and Regional Government II.

By Representative Anderson:

H.B. 713, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DISTRICT BOARD OF A METROPOLITAN SEWERAGE DISTRICT MAY APPOINT AN ASSISTANT SECRETARY AND AN ASSISTANT TREASURER, is referred to the Committee on Public Utilities.

By Representatives Anderson, Albertson, Beall, Bowman, N. J. Crawford, R. Hunter, Smith, Thompson, and Wainwright:

H.B. 714, A BILL TO BE ENTITLED AN ACT TO PERMIT VOLUNTEER FIRE DEPARTMENTS AND RESCUE SQUADS TO PURCHASE MATERIALS AND SUPPLIES UNDER STATE CONTRACT, is referred to the Committee on State Government.

By Representatives Anderson, Albertson, Beall, N. J. Crawford, R. Hunter, Smith, and Wainwright:

H.B. 715, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ALL WATER SYSTEMS PROVIDE HYDRANTS AT NO MORE THAN ONE THOUSAND FOOT INTERVALS TO PROVIDE FOR ADEQUATE FIRE PROTECTION, is referred to the Committee on Public Utilities.

By Representatives Anderson and Bowman:

H.B. 716, A BILL TO BE ENTITLED AN ACT TO RAISE THE MAXIMUM DAILY WAGE PAID TO PRISONERS BY PRISON ENTERPRISES AND TO PROVIDE THAT THOSE WAGES BE PAID ON AN HOURLY OR PRODUCTION-QUOTA BASIS, is referred to the Committee on Appropriations.

By Representative Hasty:

H.B. 717, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPECIFIC LICENSING OF RENTAL CAR COMPANY PERSONNEL WHO ACT AS AGENTS FOR INSURERS IN THE SALE OF INSURANCE COVERAGE RELATED TO THE SHORT-TERM RENTAL OF MOTOR VEHICLES, is referred to the Committee on Commerce.

By Representatives Lineberry and Jeffus:

H.B. 718, A BILL TO BE ENTITLED AN ACT TO REDUCE THE STATE SALES TAX ON AIRCRAFT MAINTENANCE EQUIPMENT TO ONE PERCENT WITH A CAP OF EIGHTY DOLLARS PER ITEM AND TO PROVIDE THAT LOCAL SALES TAX DOES NOT APPLY TO AIRCRAFT MAINTENANCE EQUIPMENT, is referred to the Committee on Finance.

By Representatives Lineberry, Bowman, and Jeffus:

H.B. 719, A BILL TO BE ENTITLED AN ACT TO GRANT TO MUNICIPALITIES CERTAIN POWERS AUTHORIZED BY SECTION 13 OF ARTICLE V OF THE CONSTITUTION OF NORTH CAROLINA, is referred to the Committee on Transportation.

By Representative Michaux:

H.B. 720, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CITY OF DURHAM'S FAIR HOUSING ORDINANCE TO COVER DISCRIMINATION BASED ON FAMILIAL STATUS, is referred to the Committee on Local and Regional Government I.

By Representative Michaux:

H.B. 721, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF DURHAM AND DURHAM COUNTY TO ENACT ORDINANCES THAT PROHIBIT ACTS OF DISCRIMINATION IN EMPLOYMENT AND PUBLIC ACCOMMODATIONS BASED ON RACE, COLOR, NATIONAL ORIGIN, RELIGION, SEX, HANDICAP, OR AGE, is referred to the Committee on Local and Regional Government I.

By Representative Michaux:

H.B. 722, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM RELATING TO DEVELOPMENT PLANS AND SITE PLANS, is referred to the Committee on Local and Regional Government I.

By Representative Michaux:

H.B. 723, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATING ORDINANCES OF THE CITY OF DURHAM, is referred to the Committee on Local and Regional Government I.

By Representative Kerr:

H.B. 724, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW PERTAINING TO IMMUNIZATION REQUIREMENTS, is referred to the Committee on Human Resources.

By Representatives Kerr, Bowman, Hensley, Jordan, McLawhorn, Russell, and Smith:

H.B. 725, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELIGIBILITY FOR GRANTS UNDER THE VOLUNTEER RESCUE/EMS FUND, is referred to the Committee on Commerce.

By Representative Kerr:

H.B. 726, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONDITIONS ON USE OF PROCEEDS OF A GOLDSBORO OCCUPANCY TAX, is referred to the Committee on Local and Regional Government II.

By Representative Mavretic:

H.B. 727, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE TOWN OF TARBORO FROM THE TIME LIMITATION IN G.S. 160A-58.2 FOR THE EFFECTIVE DATE OF AN ANNEXATION ORDINANCE, is referred to the Committee on Local and Regional Government I.

By Representatives Jones, McLawhorn, and Rogers:

H.B. 728, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A COLLECTIBLE LIEN FOR SERVICES RENDERED BY PRIVATE RESCUE SQUADS THAT ARE SUBSTANTIALLY SUPPORTED BY MUNICIPALITIES, is referred to the Committee on Judiciary I.

By Representative James:

H.B. 729, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A PORK PROMOTION ASSESSMENT, is referred to the Committee on Agriculture.

By Representative James:

H.B. 730, A BILL TO BE ENTITLED AN ACT TO ALLOW PASQUOTANK COUNTY TO LEASE CERTAIN LAND FOR TWENTY-FIVE YEARS, is referred to the Committee on Local and Regional Government II.

By Representatives James and Jack Hunt:

H.J.R. 731, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE POWERS OF THE GOVERNOR, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives James and Warner:

H.J.R. 732, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY CROP DEPRE-
DATION, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Tallent and Privette:

H.B. 733, A BILL TO BE ENTITLED AN ACT CONCERNING DISPOSITION OF PROPERTY FOR LOCAL DEVELOPMENT IN CABARRUS COUNTY, is referred to the Committee on Local and Regional Government II.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 149, A BILL TO BE ENTITLED AN ACT TO INCLUDE HORTICULTURE, THE RAISING OF LIVESTOCK AND POULTRY, AND AQUACULTURE IN THE DEFINITION OF THE TERMS "AGRICULTURE" AND "AGRICULTURAL" AS THEY

ARE USED IN THE AGRICULTURAL DEVELOPMENT ACT, is read the first time and referred to the Committee on Agriculture.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 587**, A BILL TO BE ENTITLED AN ACT TO ALLOW OCEAN ISLE BEACH, SUNSET BEACH, YAU-PON BEACH, LONG BEACH, CASWELL BEACH, AND TOPSAIL BEACH TO REGULATE JET SKIING.

Representative Smith offers Amendment No. 1 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading.

Representative Gamble objects to the third reading. The bill remains on the Calendar.

REPRESENTATIVE WICKER, MAJORITY LEADER OF THE HOUSE PRESIDING.

H.B. 9, A BILL TO BE ENTITLED AN ACT TO REINSTATE SALES TAX ON MOPEDS, TOW DOLLIES, AND CERTAIN VEHICLE BODIES AND TO ESTABLISH A UNIFORM LONG-TERM LEASING RATE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Barbee, Barnes, Barnhill, Beard, Black, Bowen, Bowman, Brawley, Brown, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hasty, Hege, Holmes, Holt, Howard, Huffman, Jack Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Wilmoth, Withrow, Wood, and Woodard - 101.

Voting in the negative: Representatives Balmer, Beall, Creech, Decker, Hightower, and Warner - 6.

Excused absences: Representatives Brubaker, Colton, and Hardaway - 3.

H.B. 365, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PAYMENT OF BENEFITS UNDER THE REGISTERS OF DEEDS' SUPPLEMENTAL PENSION FUND ON THE SAME DAY AS OTHER RETIREMENT BENEFITS ARE PAID, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 367, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PAYMENT OF PENALTIES FOR LATE PAYMENT OF CONTRIBUTIONS BY EMPLOYERS PARTICIPATING IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 368, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF "COMPENSATION" AS USED IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 343, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO REDUCE ITS PRIVILEGE LICENSE TAX PENALTIES AND TO AUTHORIZE CERTAIN CITIES TO ALLOW CREDITS FOR PRIVILEGE LICENSE TAX PENALTIES, passes its second reading, by electronic vote (100-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 467, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "PESTICIDE APPLICATOR", passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

SPEAKER BLUE PRESIDING.

H.B. 118, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO SUBCHAPTER IV OF CHAPTER 113 OF THE NORTH CAROLINA GENERAL STATUTES CONCERNING MARINE FISHERIES.

On motion of Representative Grady, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 374, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A PERSON HUNTING OR APPLYING FOR A HUNTING LICENSE TO SIGN A STATEMENT ON A FORM PROVIDED BY THE WILDLIFE RESOURCES COMMISSION CONFIRMING THAT HE HAD

A HUNTING LICENSE PRIOR TO THE REQUIREMENT OF A HUNTER SAFETY COURSE, passes its second reading, by electronic vote (106-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 390, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE FEES FOR PLANT PEST INSPECTION AND CERTIFICATION, with a favorable report.

SUBCOMMITTEES REFERRALS

Representatives Hackney and Miller, Chairmen for the Standing Committee on Finance, refer:

H.B. 446, A BILL TO BE ENTITLED AN ACT TO INCREASE THE GIFT TAX LIFETIME EXEMPTION FOR GIFTS TO CLASS A DONEES FROM \$100,000 TO \$500,000, to the Permanent Subcommittee on State Revenue.

H.B. 86, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTY OF CURRITUCK TO COLLECT A SOLID WASTE FEE THAT IS BILLED AND PAID IN THE SAME MANNER AS AD VALOREM TAXES AND THAT MAY RESULT IN THE IMPOSITION OF A LIEN, to the Permanent Subcommittee on Local and Regional Government Revenue.

H.B. 223, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WASHINGTON COUNTY TO USE ALL THE REMEDIES THAT ARE AVAILABLE FOR THE COLLECTION OF DELINQUENT AD VALOREM TAXES AS REMEDIES FOR THE COLLECTION OF SOLID WASTE FEES, to the Permanent Subcommittee on Local and Regional Government Revenue.

H.B. 458, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CUMBERLAND COUNTY TO COLLECT SOLID WASTE FEES IN THE SAME MANNER AS AD VALOREM TAXES, to the Permanent Subcommittee on Local and Regional Government Revenue.

H.B. 593, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HOLLY RIDGE TO COLLECT A FEE FOR SOLID WASTE COLLECTION AND DISPOSAL SYSTEMS AND FACILITIES IN THE SAME MANNER AS AD VALOREM TAXES, to the Permanent Subcommittee on Local and Regional Government Revenue.

H.B. 625, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE IREDELL COUNTY TO COLLECT CERTAIN FEES IN THE SAME MANNER AS AD VALOREM TAXES, to the Permanent Subcommittee on Local and Regional Government Revenue.

H.B. 626, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PITT COUNTY TO COLLECT SOLID WASTE FEES IN THE SAME MANNER AS AD VALOREM TAXES, to the Permanent Subcommittee on Local and Regional Government Revenue.

On motion of Representative Jack Hunt, seconded by Representative Sam Hunt, the House adjourns, by electronic vote (105-1), at 3:57 p.m. to reconvene Monday, April 15, 1991 at 6:30 p.m.

FORTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Monday, April 15, 1991

The House meets at 6:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of April 11 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brubaker, Ethridge, Fussell, Grimmer, Sam Hunt, and Robinson for today.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Barnes for the Committee on Education:

H.B. 149, A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATE EFFORT TO PROVIDE REMEDIATION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 17. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEES REFERRALS

Representative Barnes, Chairman for the Standing Committee on Education, refers:

H.B. 2, A BILL TO BE ENTITLED AN ACT TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR NORTH CAROLINIANS, to the Permanent Subcommittee on Preschool, Elementary and Secondary Education.

H.B. 230, A BILL TO BE ENTITLED AN ACT RELATING TO THE TERMS OF EMPLOYMENT OF SCHOOL BUS DRIVERS, to the Permanent Subcommittee on Preschool, Elementary and Secondary Education.

H.B. 334, A BILL TO BE ENTITLED AN ACT REGARDING ANNUAL VACATION LEAVE FOR TEACHERS, to the Permanent Subcommittee on Preschool, Elementary and Secondary Education.

H.B. 148, A BILL TO BE ENTITLED AN ACT TO INCREASE STATE EFFORT TO PREVENT DROPPING OUT OF SCHOOL BEFORE GRADUATION, to the Permanent Subcommittee on Community Colleges.

H.B. 569, A BILL TO BE ENTITLED AN ACT TO REGULATE PERSONNEL RECORDS OF COMMUNITY COLLEGE SYSTEM EMPLOYEES AND RELATED MATTERS, to the Permanent Subcommittee on Community Colleges.

H.B. 151, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE HIGHER EDUCATION IN NORTH CAROLINA, to the Permanent Subcommittee on University Education and Affairs.

Representative Hasty, Chairman for the Standing Committee on Economic Expansion, refers:

S.B. 347, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COUNTY TAX ASSESSOR SHALL MAKE CERTAIN TAXPAYER BUSINESS RECORDS AVAILABLE TO THE EMPLOYMENT SECURITY COMMISSION ON REQUEST, to the Permanent Subcommittee on Small Business.

H.B. 662, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW PROVIDING FOR THE DISPOSITION BY LAUNDRIES AND DRY CLEANERS OF UNCLAIMED GARMENTS, to the Permanent Subcommittee on Small Business.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Stewart for the Permanent Subcommittee on State Boards and Commissions:

H.B. 36, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE GENERAL CONTRACTORS LICENSING BOARD AND THE CODE OFFICIALS QUALIFICATION BOARD TO IMPLEMENT RECOMMENDATIONS OF THE STATE AUDITOR AND TO REPORT IMPLEMENTATION STATUS TO THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS, reported to the Standing Committee on State Government, with a favorable recommendation.

H.B. 37, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A HOMEOWNERS RECOVERY FUND UNDER THE SUPERVISION OF THE GENERAL CONTRACTORS LICENSING BOARD, reported to the Standing Committee on State Government, with a favorable recommendation.

By Representative Mercer for the Permanent Subcommittee on Military, Veterans and Indian Affairs:

H.B. 400, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE BOARD OF MORTUARY SCIENCE

PROCEDURES, reported to the Standing Committee on State Government, with a favorable recommendation, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Stamey:

H.B. 734, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COLLEGIATE INSIGNIA REGISTRATION PLATES, is referred to the Committee on Transportation.

By Representatives Colton, N. J. Crawford, Greenwood, and Nesbitt:

H.B. 735, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BUNCOMBE COUNTY TO ADOPT "PREDEVELOPMENT ORDINANCES", is referred to the Committee on Local and Regional Government II.

By Representative Gottovi:

H.B. 736, A BILL TO BE ENTITLED AN ACT CONCERNING NEW HANOVER COUNTY AND THE MUNICIPALITIES THEREIN, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Gottovi and Payne:

H.B. 737, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO IMPOSE CONDITIONS AND RESTRICTIONS ON THE SALE OF PROPERTY, is referred to the Committee on Local and Regional Government I.

By Representatives Gottovi and Payne:

H.B. 738, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO WITHHOLD FUTURE APPROVALS FROM A PERSON WITH OUTSTANDING ZONING AND SUBDIVISION ORDINANCE VIOLATIONS, is referred to the Committee on Local and Regional Government I.

By Representative Redwine:

H.B. 739, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ANY EXTENSION OF THE CORPORATE LIMITS OF THE TOWN OF HOLDEN BEACH BE SUBJECT TO A REFERENDUM, is referred to the Committee on Local and Regional Government II.

By Representatives Black, Bowman, and Smith:

H.B. 740, A BILL TO BE ENTITLED AN ACT RELATING TO ELIGIBILITY TO SERVE ON A COMMUNITY COLLEGE BOARD OF TRUSTEES, is referred to the Committee on Education.

By Representatives Wilson, Bowman, Brown, Creech, Cunningham, Decker, DeVane, Dickson, Dockham, Gardner, Gottovi, Greenwood,

Hensley, Howard, H. Hunter, Isenhower, Jarrell, Jeffus, Justus, Kennedy, Kerr, Lewis, Lineberry, Mercer, Michaux, Morgan, Oldham, Privette, Rhyme, Rogers, Russell, Smith, Stewart, Thompson, Wainwright, Warner, and Wood:

H.B. 741, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO REVISE THE FUNDING FORMULA FOR EXCEPTIONAL CHILDREN, is referred to the Committee on Education.

By Representatives Hege and Diamont:

H.B. 742, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MOUNTAIN AREA PLANNING SYSTEM ACT, TO ENCOURAGE DEVELOPMENT OF LAND-USE PLANS BY COUNTIES IN THE MOUNTAIN AREA OF NORTH CAROLINA, is referred to the Committee on Environment.

By Representatives Black and Smith:

H.J.R. 743, A JOINT RESOLUTION SETTING THE DATE FOR THE SENATE AND HOUSE OF REPRESENTATIVES TO ELECT MEMBERS OF THE STATE BOARD OF COMMUNITY COLLEGES, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Nesbitt, Black, Bowman, Colton, N. J. Crawford, Greenwood, and Warner:

H.B. 744, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL BOARDS OF EDUCATION TO ESTABLISH SICK LEAVE BANKS FOR PUBLIC SCHOOL EMPLOYEES, is referred to the Committee on Public Employees.

By Representatives Nesbitt, Black, Bowman, Colton, N. J. Crawford, Greenwood, Hurley, Stamey, and Warner:

H.B. 745, A BILL TO BE ENTITLED AN ACT TO PROVIDE A GRACE PERIOD FOR MILITARY PERSONNEL TO LIST AND PAY PROPERTY TAXES AFTER DEPLOYMENT OR ACTIVE DUTY, is referred to the Committee on Finance.

By Representatives Luebke, Barnes, Barnhill, Beall, Diamont, Ethridge, Fletcher, Gottovi, Hardaway, Hensley, Michaux, Miller, Smith, Thompson, Wainwright, Warner, and Wicker:

H.B. 746, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO PROVIDE AND MAINTAIN RECYCLING BINS AT HIGHWAY REST AREAS, TO REQUIRE THE DEPARTMENT OF AGRICULTURE TO PROVIDE AND MAINTAIN RECYCLING BINS AT THE STATE FAIR-GROUNDS IN RALEIGH, AND TO REQUIRE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO PROVIDE AND MAINTAIN RECYCLING BINS AT STATE PARKS AND AT THE NORTH CAROLINA ZOOLOGICAL PARK, is referred to the Committee on Environment.

By Representatives Black and Balmer:

H.B. 747, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWNS OF MATTHEWS, MINT HILL, AND PINEVILLE IN MECKLENBURG COUNTY TO REGULATE IN CERTAIN EXTRA-TERRITORIAL AREAS, is referred to the Committee on Local and Regional Government I.

By Representative Jack Hunt:

H.B. 748, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES-2, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Privette, Bowman, Justus, Russell, and Wilson:

H.B. 749, A BILL TO BE ENTITLED AN ACT TO REQUIRE INSTRUCTION IN THE PUBLIC SCHOOLS REGARDING ABSTINENCE FROM SEXUAL ACTIVITY, is referred to the Committee on Education.

By Representatives Loflin (by request) and Culp:

H.B. 750, A BILL TO BE ENTITLED AN ACT TO ALLOW VERIFIABLE LEGAL GUARDIANS TO APPLY FOR AND OTHERWISE HANDLE ABSENTEE BALLOTS FOR THEIR WARD, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Loflin (by request) and Bowman:

H.B. 751, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTY BOARDS OF ELECTIONS IN COUNTIES WITH LESS THAN 14,001 REGISTERED VOTERS TO DETERMINE WHETHER TO BECOME A FULL-TIME OFFICE, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Loflin (by request) and Bowman:

H.B. 752, A BILL TO BE ENTITLED AN ACT CONCERNING COMPENSATION OF MEMBERS AND SUPERVISORS OF COUNTY BOARDS OF ELECTIONS, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representative R. Hunter:

H.B. 753, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR BROADER POWERS FOR HOSPITAL, MEDICAL AND DENTAL SERVICE CORPORATIONS TO PROVIDE FOR INDEMNIFICATION OF INSURANCE FOR OFFICERS AND DIRECTORS, is referred to the Committee on Judiciary III.

By Representatives Smith, Bowman, and Luebke:

H.B. 754, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP EQUIPMENT

STANDARDS FOR VOCATIONAL EDUCATION PROGRAMS, is referred to the Committee on Education.

By Representative Smith:

H.B. 755, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF ATLANTIC BEACH TO INCLUDE AN UNINCORPORATED AREA THAT IS COMPLETELY SURROUNDED BY THE EXISTING TOWN LIMITS, is referred to the Committee on Local and Regional Government II.

By Representative Stewart:

H.B. 756, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE CITY OF DUNN, is referred to the Committee on Local and Regional Government I.

By Representative Stewart:

H.B. 757, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DUNN TO IMPOSE FACILITY FEES, is referred to the Committee on Local and Regional Government I.

By Representatives Stewart and Bowman:

H.B. 758, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A CITY TO REQUIRE AN OWNER OR A TENANT OF AN INHABITED BUILDING IN THE CITY TO PARTICIPATE IN ANY SOLID WASTE COLLECTION SERVICE PROVIDED BY THE CITY, is referred to the Committee on Environment.

By Representative Stewart:

H.B. 759, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HARNETT COUNTY TO COLLECT SOLID WASTE FEES IN THE SAME MANNER AS AD VALOREM TAXES AND, IN THE CASE OF NONPAYMENT, TO IMPOSE A LIEN ON REAL PROPERTY AND TO USE ALL THE REMEDIES THAT MAY BE USED FOR THE COLLECTION OF DELINQUENT AD VALOREM TAXES, is referred to the Committee on Finance.

By Representative Stewart:

H.B. 760, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWNS OF ANGIER, ERWIN, AND LILLINGTON AND THE CITY OF DUNN TO: (1) SEND ONE BILL THAT INCLUDES THE ITEMIZED FEES FOR SOLID WASTE, WATER, AND SEWAGE SERVICES, AND (2) TERMINATE ANY OR ALL SUCH SERVICES IN THE CASE OF NONPAYMENT, WITHIN THIRTY DAYS, OF THE TOTAL AMOUNT DUE FOR ALL SUCH SERVICES COMBINED, is referred to the Committee on Local and Regional Government I.

By Representatives Beard, Hurley, and Lineberry:

H.B. 761, A BILL TO BE ENTITLED AN ACT TO PROVIDE GROUP HEALTH INSURANCE COVERAGE FOR ALL

EMPLOYEES OF SMALL EMPLOYERS, is referred to the Committee on Commerce.

By Representatives Bowie, Jarrell, Jeffus, Lineberry, and Wood:

H.B. 762, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITIES OF HIGH POINT AND GREENSBORO TO ENACT ROOM OCCUPANCY TAXES IF THE GUILFORD COUNTY OCCUPANCY TAX IS REPEALED, is referred to the Committee on Finance.

By Representative Luebke:

H.B. 763, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE CITY OF DURHAM CHARTER, is referred to the Committee on Local and Regional Government II.

By Representative Luebke:

H.B. 764, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY AND COUNTY OF DURHAM TO ALLOW ZONING DENSITY BONUSES IN PROJECTS CONTAINING SPECIFIED AMOUNTS OF LOW AND MODERATE INCOME HOUSING, is referred to the Committee on Local and Regional Government II.

By Representative Luebke:

H.B. 765, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DURHAM COUNTY TO IMPLEMENT A SYSTEM OF IMPACT FEES, is referred to the Committee on Finance.

By Representative Fitch:

H.B. 766, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM THE REQUIREMENTS OF THE PUBLIC BIDDING LAWS THE CONTRACTS FOR AN ADDITION TO THE PRESENT JAIL FACILITY OF WILSON COUNTY, is referred to the Committee on Local and Regional Government I.

By Representative Payne:

H.B. 767, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PERCENTAGE OF SALES THAT MUST BE ATTRIBUTABLE TO FOOD AND NONALCOHOLIC BEVERAGES BY RESTAURANT PERMITTEES, is referred to the Committee on Judiciary II.

By Representatives Payne and Gottovi:

H.B. 768, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPE FEAR COMMUNITY COLLEGE TO CLEAN UP A CONTAMINATED BURN PIT SITE, is referred to the Committee on Appropriations.

By Representatives Payne and Gottovi:

H.B. 769, A BILL TO BE ENTITLED AN ACT TO REORGANIZE LAW ENFORCEMENT IN NEW HANOVER COUNTY, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Payne:

H.B. 770, A BILL TO BE ENTITLED AN ACT TO CREATE A CATERING SERVICE PERMIT, is referred to the Committee on Finance.

By Representative Payne:

H.B. 771, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "INJURY" FOR PURPOSES OF THE WORKERS' COMPENSATION ACT, is referred to the Committee on Judiciary II.

By Representatives Gottovi and Payne:

H.B. 772, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO FILE WITH THE REGISTER OF DEEDS A NOTICE OF SPECIAL CONDITIONS ATTACHED TO THE ZONING OF PROPERTY, is referred to the Committee on Local and Regional Government I.

By Representative Abernethy:

H.B. 773, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE EXTENSION OF THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF MOUNT HOLLY AND THE TOWN OF STANLEY, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Wilmoth and Judy Hunt:

H.B. 774, A BILL TO BE ENTITLED AN ACT TO ALLOW THE BOARD OF TRUSTEES OF WATAUGA HOSPITAL, INC., TO ENTER INTO SINGLE PRIME CONTRACTOR PUBLIC CONTRACTS, is referred to the Committee on Local and Regional Government II.

By Representatives Judy Hunt and Wilmoth:

H.B. 775, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALLEGHANY COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is referred to the Committee on Finance.

By Representatives Kennedy and Oldham:

H.B. 776, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A DISTRICT SYSTEM FOR ELECTING SOME OR ALL OF THE MEMBERS OF THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION, is referred to the Committee on Legislative and Local Redistricting.

By Representatives Fussell and Stamey:

H.B. 777, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF RALEIGH, is referred to the Committee on Local and Regional Government II.

By Representative Redwine:

H.B. 778, A BILL TO BE ENTITLED AN ACT CONCERNING BRUNSWICK COUNTY AND THE MUNICIPALITIES THEREIN, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Redwine:

H.B. 779, A BILL TO BE ENTITLED AN ACT RELATING TO LOCAL GOVERNMENT IN BRUNSWICK COUNTY, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Redwine:

H.B. 780, A BILL TO BE ENTITLED AN ACT CONCERNING BRUNSWICK COUNTY, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Redwine:

H.B. 781, A BILL TO BE ENTITLED AN ACT RELATING TO BRUNSWICK COUNTY, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Brawley:

H.B. 782, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF MOORESVILLE TO EXERCISE EXTRATERRITORIAL LAND-USE REGULATION WITHIN ONE MILE OF ITS SATELLITE CORPORATE LIMITS, is referred to the Committee on Local and Regional Government II.

By Representative Chapin:

H.B. 783, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HYDE COUNTY TO LEVY A ONE PERCENT LOCAL LAND TRANSFER TAX, is referred to the Committee on Finance.

By Representative Chapin:

H.B. 784, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HYDE COUNTY TO LEVY A ROOM OCCUPANCY TAX, is referred to the Committee on Finance.

By Representative Anderson:

H.B. 785, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PAMLICO COUNTY SCHOOL BOARD TO CONVEY TO HOBUCKEN COMMUNITY DEVELOPMENT, INC., CERTAIN SCHOOL PROPERTY, is referred to the Committee on Local and Regional Government II.

By Representative Anderson:

H.B. 786, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A VIOLATION OF AN ORDINANCE ADOPTED BY A METROPOLITAN SEWERAGE DISTRICT IS A MISDEMEANOR OFFENSE, is referred to the Committee on Judiciary III.

By Representatives Jones, Albertson, Barnes, Barnhill, Black, Bowman, Colton, J. W. Crawford, N. J. Crawford, Culp, DeVane, Diamont, Dickson, Dockham, Easterling, Ethridge, Foster, Gottovi, Grady, Greenwood, Hasty, Hensley, H. Hunter, R. Hunter, Hurley,

Isenhower, Jarrell, Jordan, Justus, Kerr, Lineberry, Luebke, Payne, Privette, Rhodes, Rhyne, Rogers, Smith, Stamey, Thompson, Wainwright, Warner, Wicker, Wilson, Withrow, and Wood:

H.B. 787, A BILL TO BE ENTITLED AN ACT TO ALLOW AN ADDITIONAL FOUR YEARS FOR THE ACCUMULATION OF MONEY IN THE NORTH CAROLINA CANDIDATES FINANCING FUND AND TO LIMIT THE APPLICATION OF THAT FUND TO THE RACE FOR GOVERNOR, BEGINNING IN 1996, is referred to the Committee on Judiciary I.

By Representative Hasty:

H.B. 788, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR OPTIONS FOR CERTAIN BOND REQUIREMENTS OF VARIOUS LICENSEES OF THE DEPARTMENT OF INSURANCE, is referred to the Committee on Commerce.

By Representative Abernethy:

H.B. 789, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF GASTONIA, is referred to the Committee on Local and Regional Government II.

By Representative Albertson:

H.B. 790, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE TOWN OF FAISON FROM CERTAIN NOTICE REQUIREMENTS AND TO EXTEND THE TOWN OF FAISON'S EXTRATERRITORIAL JURISDICTION, is referred to the Committee on Local and Regional Government II.

By Representatives McLawhorn, Jones, and Rogers:

H.B. 791, A BILL TO BE ENTITLED AN ACT RELATING TO PITT COUNTY, is referred to the Committee on Rules, Appointment and Calendar.

By Representatives McLawhorn and Jones:

H.B. 792, A BILL TO BE ENTITLED AN ACT TO CREATE HUNTING SAFETY REGULATIONS IN GREENE COUNTY, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Bowen:

H.B. 793, A BILL TO BE ENTITLED AN ACT CONCERNING VACANCIES IN PUBLIC OFFICE IN PENDER COUNTY, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Bowen:

H.B. 794, A BILL TO BE ENTITLED AN ACT TO ALLOW SAMPSON COUNTY TO ACQUIRE PROPERTY FOR USE BY THE SAMPSON COUNTY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government II.

By Representative Bowen:

H.B. 795, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PERMITTING ELECTROFISHING FOR CATFISH IN PORTIONS OF SAMPSON, PENDER, AND BLADEN COUNTIES, is referred to the Committee on Local and Regional Government II.

By Representative Bowen:

H.B. 796, A BILL TO BE ENTITLED AN ACT TO EXTEND TO SAMPSON COUNTY LAWS THAT REQUIRE VACANCIES IN THE OFFICES OF SHERIFF, REGISTER OF DEEDS, AND COUNTY COMMISSIONER TO BE FILLED WITH THE NOMINEE OF THE POLITICAL PARTY EXECUTIVE COMMITTEE OF THE VACATING MEMBER, is referred to the Committee on Judiciary II.

By Representative Bowen:

H.B. 797, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF AUTRYVILLE, is referred to the Committee on Local and Regional Government II.

By Representative Bowen:

H.B. 798, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM PUBLIC ROADS IN SAMPSON COUNTY, is referred to the Committee on Local and Regional Government II.

By Representative Bowen:

H.B. 799, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SAMPSON COUNTY TO COLLECT CERTAIN FEES IN THE SAME MANNER AS AD VALOREM TAXES, is referred to the Committee on Finance.

By Representatives Barbee, Loflin, Privette, and Tallent:

H.B. 800, A BILL TO BE ENTITLED AN ACT TO EXTEND AND REVISE THE CORPORATE LIMITS OF THE TOWN OF NORWOOD, is referred to the Committee on Local and Regional Government II.

By Representative Barbee:

H.B. 801, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATUTORY AUTHORITY OF STANLY COUNTY TO REGULATE THE SUBDIVISION OF LAND, is referred to the Committee on Local and Regional Government II.

By Representative Justus (by request):

H.B. 802, A BILL TO BE ENTITLED AN ACT TO ENABLE THE TOWN OF LAUREL PARK TO ASSESS BENEFITED PROPERTY OWNERS FOR STREET AND SIDEWALK IMPROVEMENTS, is referred to the Committee on Local and Regional Government I.

By Representative Nye:

H.B. 803, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW REGULATING THE SETTING OF STEEL TRAPS IN PENDER COUNTY, is referred to the Committee on Local and Regional Government II.

By Representative Nye:

H.B. 804, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PENDER COUNTY TO APPOINT SPECIAL OFFICERS TO ENFORCE STATE LAWS AGAINST OBSTRUCTION OF STREAMS AND DRAINAGE DITCHES, is referred to the Committee on Local and Regional Government II.

By Representative Nye:

H.B. 805, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FINE FOR VIOLATIONS OF PENDER COUNTY ORDINANCES, is referred to the Committee on Finance.

By Representative Isenhower:

H.B. 806, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE FEE FOR A WEAPON PERMIT IN CATAWBA COUNTY IS FIVE DOLLARS, is referred to the Committee on Local and Regional Government I.

By Representatives Isenhower and Huffman:

H.B. 807, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE CONOVER FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, is referred to the Committee on Local and Regional Government I.

By Representatives Wilmoth and Judy Hunt:

H.B. 808, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ASHE COUNTY TO LEVY A ROOM OCCUPANCY TAX, is referred to the Committee on Finance.

By Representative Morgan:

H.B. 809, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE SEVEN LAKES COMMUNITY IN MOORE COUNTY, is referred to the Committee on Local and Regional Government I.

By Representative Morgan:

H.B. 810, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STUDY OF ANNEXATION AND FUTURE MUNICIPAL GROWTH AMONG THE MUNICIPALITIES LOCATED IN MOORE COUNTY, is referred to the Committee on Local and Regional Government I.

By Representatives Ramsey and Beall:

H.B. 811, A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM OF OFFICE OF THE MADISON COUNTY TAX COLLECTOR FROM TWO YEARS TO FOUR YEARS BEGINNING IN 1992, is referred to the Committee on Local and Regional Government II.

By Representatives DeVane and Dial:

H.B. 812, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF ST. PAULS, is referred to the Committee on Rules, Appointments and Calendar.

By Representative DeVane:

H.B. 813, A BILL TO BE ENTITLED AN ACT RELATING TO HOKE COUNTY, is referred to the Committee on Rules, Appointments and Calendar.

By Representative DeVane:

H.B. 814, A BILL TO BE ENTITLED AN ACT RELATING TO ROBESON COUNTY, is referred to the Committee on Rules, Appointments and Calendar.

By Representative DeVane:

H.B. 815, A BILL TO BE ENTITLED AN ACT RELATING TO SCOTLAND COUNTY, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Hege and Dockham:

H.B. 816, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE IN DAVIDSON COUNTY FOR SECOND DEGREE TRESPASS AND TO CREATE A NEW OFFENSE OF THIRD DEGREE TRESPASS, is referred to the Committee on Local and Regional Government I.

By Representatives Ethridge, Grady, and Smith:

H.B. 817, A BILL TO BE ENTITLED AN ACT TO REPEAL ACTS DIRECTING THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO BUILD A REGIONAL BEACH ACCESS FACILITY, is referred to the Committee on Environment.

By Representatives Ethridge, Bowman, Smith, and Warner:

H.B. 818, A BILL TO BE ENTITLED AN ACT TO ALLOW PUBLIC SCHOOL TEACHERS TO CONVERT EXCESS ANNUAL VACATION LEAVE DAYS TO SICK LEAVE, is referred to the Committee on Public Employees.

By Representative Redwine:

H.B. 819, A BILL TO BE ENTITLED AN ACT TO AMEND THE ACT REGULATING THE BRUNSWICK COUNTY AIRPORT

COMMISSION, is referred to the Committee on Local and Regional Government II.

By Representative Gray (by request):

H.B. 820, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE FORSYTH COUNTY TO LEVY A ONE PERCENT TAX ON PREPARED FOOD AND BEVERAGES, is referred to the Committee on Finance.

By Representative Holt:

H.B. 821, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE NATURAL DEATH ACT TO INCLUDE THE MEDICAL CONDITION OF PERSISTENT VEGETATIVE STATE, is referred to the Committee on Judiciary I.

By Representative Brawley:

H.B. 822, A BILL TO BE ENTITLED AN ACT TO PLACE RESTRICTIONS ON THE USE OF PERSONAL WATERCRAFT SUCH AS JET SKIS AND WATER BIKES, is referred to the Committee on Judiciary I.

By Representative Holt:

H.B. 823, A BILL TO BE ENTITLED AN ACT TO ALLOW THE BURLINGTON-GRAHAM ABC BOARD TO MAKE CREDIT CARD SALES IF AUTHORIZED BY THE ABC COMMISSION, is referred to the Committee on Local and Regional Government II.

By Representative Miller:

H.B. 824, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE DURHAM CITY CHARTER RELATING TO THE TRANSPORTATION AUTHORITY, is referred to the Committee on Local and Regional Government II.

By Representative Miller:

H.B. 825, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE DURHAM CITY CHARTER RELATING TO THE CITY MANAGER, is referred to the Committee on Local and Regional Government II.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 23, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF BLUE LIGHTS BY ANYONE OTHER THAN LAW ENFORCEMENT PERSONNEL, is read the first time and referred to the Committee on Judiciary I.

S.B. 114, A BILL TO BE ENTITLED AN ACT TO REPEAL INHERITANCE TAX EXEMPTIONS FOR CERTAIN TYPES OF PROPERTY, is read the first time and referred to the Committee on Finance.

Committee Substitute for **S.B. 166**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF AGING, TO CHARGE FEES FOR IN-HOME AND COMMUNITY-BASED SERVICES, is read the first time and referred to the Committee on Finance.

S.B. 225, A BILL TO BE ENTITLED AN ACT TO GIVE LOCAL BOARDS OF EDUCATION ELECTED ON A DISTRICT BASIS SIMILAR POWER AS CITIES TO REDISTRICT, is read the first time and referred to the Committee on Legislative and Local Redistricting.

S.B. 267, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE EDUCATIONAL REQUIREMENTS FOR CERTIFIED PUBLIC ACCOUNTANTS, is read the first time and referred to the Committee on Judiciary II.

S.B. 396, A BILL TO BE ENTITLED AN ACT GOVERNING THE VOTING OF SHARES OF CORPORATE STOCK OR OTHER SECURITIES BY JOINT PERSONAL REPRESENTATIVES AND CO-TRUSTEES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary III.

Committee Substitute for **S.B. 415**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PAROLE COMMISSION TO PAROLE CERTAIN MISDEMEANANTS BUT CONTINUE TO SUPERVISE THEM FOR A PERIOD TO BE DETERMINED BY THE COMMISSION, TO GIVE PAROLE VIOLATORS CREDIT FOR TIME SPENT SUCCESSFULLY IN THE COMMUNITY ON PAROLE, AND TO MAKE COMMUNITY SERVICE PAROLE FLEXIBLE BY ALLOWING THE PAROLE COMMISSION TO DETERMINE THE AMOUNT OF SERVICE AND TIME PERIOD FOR SERVICE, is read the first time and referred to the Committee on Judiciary I.

S.B. 427, A BILL TO BE ENTITLED AN ACT TO PROVIDE A GRACE PERIOD FOR MILITARY PERSONNEL TO RENEW OCCUPATIONAL LICENSES EXPIRING DURING DEPLOYMENT OR ACTIVE DUTY, AND TO DISCOUNT FEES, is read the first time and referred to the Committee on State Government.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 157, AN ACT TO MAKE CHANGES TO THE LAWS GOVERNING ADMINISTRATIVE HEARINGS. (CHAPTER 35)

S.B. 177, AN ACT TO AMEND ARTICLE 10 OF CHAPTER 65 TO ALLOW ACCESS TO AND MAINTENANCE OF PRIVATE GRAVES AND ABANDONED PUBLIC CEMETERIES. (CHAPTER 36)

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

H.R. 101, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE REGULAR SESSIONS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES OF THE 1991 GENERAL ASSEMBLY, with recommendation that the committee substitute resolution, as amended, be adopted, with an unfavorable report as to resolution.

On motion of Representative Jack Hunt, the rules are suspended and the committee substitute resolution, as amended, is placed on the Calendar for April 16. The original resolution is placed on the Unfavorable Calendar.

CALENDAR

Action is taken on the following:

Committee Substitute No. 2 for **H.B. 225, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DARE COUNTY TO INCREASE ITS OCCUPANCY TAX, LEVY A RESTAURANT TAX, AND CREATE A TOURISM BOARD TO PROMOTE TOURISM IN DARE COUNTY**, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beard, Bowen, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Flaherty, Fletcher, Foster, Gamble, Gardner, Gottovi, Grady, Gray, Greenwood, Hackney, Hasty, Hege, Hensley, Hightower, Holt, Howard, Huffman, Jack Hunt, R. Hunter, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lewis, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 93.

Voting in the negative: Representatives Beall, Decker, Kimsey, Ligon, Privette, and Wood - 6.

Excused absences: Representatives Brubaker, Ethridge, Fussell, Grimmer, Sam Hunt, and Robinson - 6.

Committee Substitute for **H.B. 278, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF LONG BEACH TO ALLOW THE TOWN TO ASSESS BENEFITED PROPERTY FOR UNDERGROUNDING OF UTILITIES, AND FOR**

CONSTRUCTION OF PUBLIC STREETS BY NECESSITY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Flaherty, Fletcher, Foster, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Hackney, Hasty, Hege, Hensley, Hightower, Holt, Howard, Huffman, Jack Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nye, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 100.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Ethridge, Fussell, Grimmer, Sam Hunt, and Robinson - 6.

Committee Substitute for **H.B. 587, A BILL TO BE ENTITLED AN ACT TO ALLOW ATLANTIC BEACH, OCEAN ISLE BEACH, SUNSET BEACH, YAUPON BEACH, LONG BEACH, CASWELL BEACH, AND TOPSAIL BEACH TO REGULATE JET SKIING.**

The bill, as amended, passes its third reading, by electronic vote (102-0), and is ordered engrossed and sent to the Senate.

H.B. 9, A BILL TO BE ENTITLED AN ACT TO REINSTATE SALES TAX ON MOPEDS, TOW DOLLIES, AND CERTAIN VEHICLE BODIES AND TO ESTABLISH A UNIFORM LONG-TERM LEASING RATE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Barbee, Barnes, Barnhill, Beard, Bowen, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Flaherty, Fletcher, Foster, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Hackney, Hasty, Hege, Hensley, Holmes, Holt, Howard, Huffman, Jack Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wainwright, Wicker, Wilmoth, Wilson, Withrow, and Wood - 95.

Voting in the negative: Representatives Balmer, Beall, Creech, Decker, Hightower, and Warner - 6.

Excused absences: Representatives Brubaker, Ethridge, Fussell, Grimmer, Sam Hunt, and Robinson – 6.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative R. Hunter for the Committee on Judiciary III:

H.B. 300, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THERE SHALL BE NO INSURANCE POINTS ASSESSED FOR SPEEDING TEN MILES OR LESS OVER THE SPEED LIMIT FOR FIRST OFFENSE IN THREE YEARS WHERE SPEED LIMIT EXCEEDS FIFTY-FIVE MILES PER HOUR, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 17. The original bill is placed on the Unfavorable Calendar.

H.B. 582, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT SPIN-OFFS OF PROFESSIONAL CORPORATIONS ARE ALLOWED ONLY IF CARRIED OUT IN ACCORDANCE WITH FEDERAL LAW AS IT MAY BE AMENDED, with a favorable report, as amended.

S.B. 209, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ISSUANCE OF FICTITIOUS DRIVERS LICENSES AND REGISTRATION PLATES AND TO CREATE A CONFIDENTIAL REGISTRATION FILE, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for April 17. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

Action is taken on the following:

H.B. 390, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE FEES FOR PLANT PEST INSPECTION AND CERTIFICATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Fitch, Flaherty, Fletcher, Foster, Gamble, Gardner, Gottovi, Grady, Gray, Greenwood, Hackney, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Jack Hunt, Judy Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Smith, Stamey,

Stewart, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, and Wood - 99.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Ethridge, Fussell, Grimmer, Sam Hunt, and Robinson - 6.

Committee Substitute for **H.B. 392**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE REQUIREMENT THAT HUNTERS WEAR BLAZE ORANGE TO ENCOMPASS THE HUNTING OF OTHER TYPES OF GAME, passes its second reading, by electronic vote (100-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 321**, A BILL TO BE ENTITLED AN ACT TO EXEMPT REAL ESTATE ACQUIRED BY THE DEPARTMENT OF TRANSPORTATION FROM THE REQUIREMENT THAT IT BE APPRAISED BY LICENSED OR CERTIFIED APPRAISER WHEN THE ESTIMATED VALUE OF THE REAL ESTATE IS LESS THAN TEN THOUSAND DOLLARS.

On motion of Representative Privette, consideration of the bill is postponed until April 16.

Committee Substitute No. 2 for **H.B. 165**, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE MAINTENANCE OF AFFORDABLE HOUSING STOCK, passes its second reading by electronic vote (95-1).

Representative Cunningham objects to the third reading, the bill remains on the Calendar.

Representative Cunningham withdraws his objection to the third reading.

Representative Cunningham offers Amendment No. 1 which is adopted.

The bill, as amended, passes its third reading, by electronic vote (95-3), and is ordered engrossed and sent to the Senate.

H.B. 479, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONSENT TO ADOPTION IS NOT REVOCABLE AFTER A CERTAIN PERIOD OF TIME, passes its second reading, by electronic vote (83-21), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 572, A BILL TO BE ENTITLED AN ACT TO ALLOW DISCRETION BY THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AS TO WHETHER TO SEEK FEDERAL APPROVAL OF ANY INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE CLEANUP, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 249, A BILL TO BE ENTITLED AN ACT TO EXTEND BY TWO YEARS THE PERIOD DURING WHICH A SMALL BUSINESS CONCERN MAY REMAIN IN AN INCUBATOR FACILITY, passes its second reading, by electronic vote (98-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 183, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO CONDUCT VARIOUS HEALTH-RELATED PROJECTS, passes its second reading, by electronic vote (101-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 302, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA CENTER FOR APPLIED TEXTILE TECHNOLOGY.

Representative Dickson offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 333, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF EDUCATION TO ADOPT RULES REGARDING THE DISPOSITION OF OLD TEXTBOOKS AND OTHER INSTRUCTIONAL MATERIAL, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Jack Hunt, seconded by Representative Ramsey, the House adjourns, by electronic vote (93-3), at 8:08 p.m. to reconvene April 16 at 1:30 p.m.

FORTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 16, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of April 15 has been examined

and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Albertson, Bowen, Fussell, Robinson, and Wood for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Barnes for the Committee on Education:

H.B. 494, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE BUSINESS COMMUNITY TO FACILITATE STUDENT ACHIEVEMENT, with a favorable report.

By Representative James for the Committee on Agriculture:

H.B. 553, A BILL TO BE ENTITLED AN ACT TO CREATE THE "TOBACCO RESEARCH COMMISSION", AUTHORIZE A REFERENDUM OF TOBACCO GROWERS REGARDING ESTABLISHMENT OF A "TOBACCO CHECK-OFF" FOR TOBACCO RESEARCH, AND TO MAKE CONFORMING CHANGES IN THE LAWS CONCERNING AGRICULTURAL RESEARCH, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Lutz for the Committee on Local and Regional Government II:

H.B. 603, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGISTRATION OF LAND IN GRANVILLE COUNTY AND TO REQUIRE ANY PERSON HUNTING OR POSSESSING A FIREARM OR BOW AND ARROW THAT IS READILY AVAILABLE FOR USE TO SECURE AN ENTRY PERMIT BEFORE ENTERING OR REMAINING ON REGISTERED LAND OR REMAINING ON ABUTTING PORTIONS OF HIGHWAY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H.B. 607, A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD OF ELECTING THE BOARD OF COMMISSIONERS FOR THE TOWN OF WILLIAMSTON, with a favorable report.

H.B. 608, A BILL TO BE ENTITLED AN ACT TO ALLOW THE VILLAGE OF BALD HEAD ISLAND TO OPERATE A CONTRACT POST OFFICE, with a favorable report.

H.B. 610, A BILL TO BE ENTITLED AN ACT TO PROVIDE RESIDENCY DISTRICTS FOR ELECTION OF THE MARTIN COUNTY BOARD OF COMMISSIONERS, TO IMPLEMENT A CONSENT ORDER IN THE CASE OF DANIELS V. BOARD OF COMMISSIONERS OF MARTIN COUNTY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 18. The original bill is placed on the Unfavorable Calendar.

H.B. 611, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE OF THE NONPARTISAN AVERY COUNTY SCHOOL BOARD ELECTION FROM MAY TO NOVEMBER, with a favorable report.

H.B. 617, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PAY DATE FOR EMPLOYEES OF THE CLEVELAND COUNTY SCHOOLS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 18. The original bill is placed on the Unfavorable Calendar.

H.B. 623, A BILL TO BE ENTITLED AN ACT TO ALLOW COLUMBUS COUNTY TO ENTER INTO LONG-TERM SOLID WASTE DISPOSAL CONTRACTS AND FRANCHISE AGREEMENTS, with a favorable report.

By Representative Dawkins for the Committee on Judiciary II:

H.B. 305, A BILL TO BE ENTITLED AN ACT TO REVISE THE ESSENTIAL ELEMENTS REQUIRED TO PROVE ARMED ROBBERY, with a favorable report.

H.B. 462, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DEPARTMENT OF REVENUE EMPLOYEES TO SERVE CIVIL SUMMONSES AND OTHER CIVIL PAPERS AND TO EXECUTE SEARCH WARRANTS, with a favorable report, as amended.

H.B. 547, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PAYMENT OF EXCESS DAMAGES AGAINST A STATE EMPLOYEE FOR COLLECTING OR ADMINISTERING AN UNCONSTITUTIONAL TAX, with a favorable report.

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 301, A BILL TO BE ENTITLED AN ACT TO AMEND THE CEMETERY ACT AND RELATED STATUTES, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary II.

The committee substitute bill is re-referred to the Committee on Judiciary II. The original bill is placed on the Unfavorable Calendar.

H.B. 306, A BILL TO BE ENTITLED AN ACT TO ALLOW AN ADDITIONAL 180-DAY PERIOD FOR DEPLOYED ARMED FORCES PERSONNEL TO FILE TAX RETURNS, AND TO PROVIDE FOR INTEREST TO BE PAID BY THE STATE ON REFUNDS DUE THESE PERSONNEL FROM APRIL 15 UNTIL THE REFUND IS PAID, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 18. The original bill is placed on the Unfavorable Calendar.

H.B. 371, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE CHARGED BY THE SECRETARY OF STATE TO CERTIFY A DOCUMENT ON FILE IN THAT OFFICE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 18. The original bill is placed on the Unfavorable Calendar.

H.B. 577, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE VILLAGE OF PINEHURST, with a favorable report.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Mercer for the Permanent Subcommittee on Military, Veterans and Indian Affairs of the Standing Committee on State Government, with approval of the standing committee chairman for report to be made directly to the floor of the House:

H.B. 58, A BILL TO BE ENTITLED AN ACT TO DESIGNATE DECEMBER SEVENTH AS PEARL HARBOR REMEMBRANCE DAY, with a favorable report.

SUBCOMMITTEE REFERRAL

Representatives Hackney and Miller, Chairmen for the Standing Committee on Finance, refer:

H.B. 316, A BILL TO BE ENTITLED AN ACT TO CHANGE CERTAIN EXAMINATION FEES CHARGED BY THE BOARD OF COSMETOLOGY EXAMINERS, to the Permanent Subcommittee on Ways and Means.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 43, AN ACT TO PROVIDE FOR AUTOMATIC CIVIL COMMITMENT OF A DEFENDANT CHARGED WITH A CRIME AND FOUND NOT GUILTY BY REASON OF INSANITY, TO SHIFT THE BURDEN OF PROOF TO THE DEFENDANT AT SUBSEQUENT HEARINGS ON RELEASE, AND TO MAKE OTHER CHANGES IN RELATED PROCEDURES. (CHAPTER 37)

S.B. 136, AN ACT TO EXTEND THE LIMITED LIABILITY PROTECTION UNDER THE TRAILS SYSTEM TO LANDOWNERS, UNITS OF GOVERNMENT, TRAIL DEVELOPERS, AND TRAIL MAINTAINERS. (CHAPTER 38)

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Hasty and Miller:

H.B. 826, A BILL TO BE ENTITLED AN ACT TO INCREASE THE REQUIRED MINIMUM FINANCIAL RESPONSIBILITY FOR PROPERTY DAMAGE, is referred to the Committee on Commerce.

By Representatives Privette, Beall, Bowman, Brown, Ethridge, Fletcher, and Luebke:

H.B. 827, A BILL TO BE ENTITLED AN ACT TO PROVIDE PENALTIES FOR PERMITTEES SELLING OR GIVING ALCOHOLIC BEVERAGES TO PERSONS UNDER TWENTY-ONE YEARS OF AGE, is referred to the Committee on Judiciary III.

By Representatives Diamont, Bowman, Culp, and Luebke:

H.B. 828, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REQUIRING TEACHER AND ADMINISTRATOR INVOLVEMENT IN THE DEVELOPMENT OF LOCAL SCHOOL IMPROVEMENT PLANS, is referred to the Committee on Education.

By Representative Hackney:

H.B. 829, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A REBUTTABLE PRESUMPTION THAT PROPERTY ACQUIRED DURING MARRIAGE IS MARITAL PROPERTY EXCEPT UNDER CERTAIN CIRCUMSTANCES, is referred to the Committee on Judiciary III.

By Representatives Grimmer, Abernethy, Bowman, Brown, Buchanan, Diamont, Flaherty, Gray, Huffman, Hurley, Isenhower, Jones, Kimsey, Ligon, Lineberry, McLaughlin, Mavretic, Morgan, Payne, Pope, Privette, Rhyne, and Robinson:

H.B. 830, A BILL TO BE ENTITLED AN ACT TO EXTEND THE REPORTING PROVISIONS OF THE CAMPAIGN FINANCE LAW TO ELECTIONS IN ALL COUNTIES AND MUNICIPALITIES, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representative Thompson:

H.B. 831, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE SMALL SCHOOL SYSTEM SUPPLEMENTAL FUNDING, is referred to the Committee on Appropriations.

By Representatives Wilson and Bowman:

H.B. 832, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF A FIREARM WHILE UNDER THE INFLUENCE OF ALCOHOL OR ANY OTHER IMPAIRING SUBSTANCE, is referred to the Committee on Judiciary I.

By Representative Brawley:

H.B. 833, A BILL TO BE ENTITLED AN ACT TO ADOPT THE INTERNATIONAL NAVIGATION RULES AND THE INLAND NAVIGATION RULES AS THE LAW IN THIS STATE, is referred to the Committee on Transportation.

By Representatives Brawley and Culp:

H.B. 834, A BILL TO BE ENTITLED AN ACT TO CREATE A SAFE BOATING ADVISORY COMMITTEE, is referred to the Committee on Transportation.

By Representative Brawley:

H.B. 835, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE DISCLOSURE PROVISION FOR CONTINGENT LIABILITY UNDER MUTUAL INSURANCE POLICIES, is referred to the Committee on Commerce.

By Representative Brawley:

H.B. 836, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE OPERATOR OF A MOTORBOAT TO OBTAIN AND POSSESS A MOTORBOAT OPERATOR'S LICENSE, is referred to the Committee on Transportation.

By Representatives Jones, Bowman, and Flaherty:

H.B. 837, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN LAWS PROHIBITING THE USE OF POLITICAL INFLUENCE CONCERNING STATE EMPLOYMENT, is referred to the Committee on Judiciary I.

By Representative Beall:

H.B. 838, A BILL TO BE ENTITLED AN ACT TO MAKE THE DESTRUCTION OF ANY CROP, PASTURE, OR PROVENDER A FELONY, is referred to the Committee on Judiciary II.

By Representative Beall:

H.B. 839, A BILL TO BE ENTITLED AN ACT TO AFFECT THE PRESUMPTION OF REASONABLENESS OF CREDIT LIFE AND CREDIT ACCIDENT AND HEALTH INSURANCE PREMIUM RATES, is referred to the Committee on Commerce.

By Representative Beall:

H.B. 840, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DEFINITION OF CREDIT ACCIDENT AND HEALTH INSURANCE, is referred to the Committee on Commerce.

By Representative Beall:

H.B. 841, A BILL TO BE ENTITLED AN ACT TO AFFECT GROUP LIFE INSURANCE, is referred to the Committee on Commerce.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 244, A BILL TO BE ENTITLED AN ACT CONCERNING MUNICIPAL ELECTIONS IN THE CITY OF HIGH POINT, is returned for concurrence in Senate amendment and placed on the Calendar for April 17.

S.B. 306, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING STATE AND FEDERAL SURPLUS PROPERTY, is read the first time and referred to the Committee on State Government.

S.B. 362, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TERM OF OFFICE OF THE MEMBERS OF THE U.S.S. NORTH CAROLINA BATTLESHIP COMMISSION, is read the first time and referred to the Committee on Economic Expansion.

S.B. 385, A BILL TO BE ENTITLED AN ACT TO PROTECT THE SECURITY OF OCCUPATIONAL LICENSING EXAMINATIONS, is read the first time and referred to the Committee on State Government.

SPEAKER'S RULING ON MOTION

Representative Brown moves that the rules be suspended and that **H.B. 742**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MOUNTAIN AREA PLANNING SYSTEM ACT, TO ENCOURAGE DEVELOPMENT OF LAND-USE PLANS BY COUNTIES IN THE MOUNTAIN AREA OF NORTH CAROLINA, be withdrawn from the Committee on Environment and placed on the Calendar.

The Speaker rules that in order to withdraw the bill from committee and place on the Calendar it would require a two-thirds majority vote.

Representative Brown inquires of the Speaker what the next order would be if he is successful in getting the bill before the House.

The Speaker states that he would have to appeal the ruling of the Chair which would take a two-thirds majority vote because the Chair has not heard anything to change his mind about his ruling.

Representative Brown withdraws the motion to suspend the rules to withdraw the bill from committee and place on the Calendar.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.R. 101**, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE REGULAR SESSIONS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES OF THE 1991 GENERAL ASSEMBLY.

On motion of Representative Jack Hunt, Committee Amendment No. 1 is postponed indefinitely.

Representative Mavretic offers Amendment No. 2.

Representative Mavretic calls the previous question on the amendment and the call is sustained.

Amendment No. 2 is adopted.

Representative Flaherty offers Amendment No. 3. A division having been called, Amendment No. 3 fails of adoption by electronic vote (38-62).

Representative Rhyne offers Amendment No. 4.

On motion of Representative Wicker, seconded by Representative Barnes, Amendment No. 4 is tabled by electronic vote (70-35).

Representative Pope offers Amendment No. 5.

On motion of Representative Miller, seconded by Representative Jack Hunt, Amendment No. 5 is tabled.

Representative Kimsey offers Amendment No. 6.

Representative Kimsey calls for the "ayes" and "noes", and the call is sustained.

On motion of Representative Jack Hunt, seconded by Representative Sam Hunt, Amendment No. 6 is tabled by the following vote.

Those voting in the affirmative are: Representatives Anderson, Barnes, Barnhill, Beall, Beard, Black, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Cunningham, Dawkins, DeVane, Diamont, Easterling, Ethridge, Fitch, Fletcher, Gamble, Gist, Gottovi, Green, Greenwood, Hackney, Hardaway, Hasty, Hensley, Hightower, Holt, Jack Hunt, Judy Hunt, Sam Hunt, R. Hunter, Hurley, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Lilley, Lineberry, Luebke, Lutz, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Nye, Oldham, Ramsey, Redwine, Rogers, Stamey, Stewart, Wainwright, Wilmoth, Withrow, and Woodard - 64.

Voting in the negative: Representatives Abernethy, Balmer, Barbee, Brawley, Brown, Brubaker, Buchanan, Creech, Culp, Decker, Dickson, Dockham, Esposito, Flaherty, Gardner, Grady, Gray, Grimmer, Hege, Howard, Huffman, Isenhower, Kimsey, Lewis, Ligon, Loflin, Morgan, Pope, Privette, Rhodes, Rhyne, Russell, Tallent, and Wilson - 34.

Excused absences: Representatives Albertson, Bowen, Foster, Fussell, Robinson, and Wood - 6.

Representative Jack Hunt calls the previous question on the adoption of the resolution and moves that the call for the previous question be postponed indefinitely.

Representative Jack Hunt further moves, seconded by Representative Anderson, that the motion to postpone indefinitely the call for the previous question do lie upon the table. This motion carries by electronic vote (65-34).

The motion before the House is the call for the previous question on the adoption of the resolution and the call is sustained.

The resolution, as amended, is adopted by electronic vote (83-18). The Chair orders the resolution engrossed and printed. (The resolution in its entirety may be found in the Appendix.)

Committee Substitute No. 2 for **H.B. 225, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DARE COUNTY TO INCREASE ITS OCCUPANCY TAX, LEVY A RESTAURANT TAX, AND CREATE A TOURISM BOARD TO PROMOTE TOURISM IN DARE COUNTY**, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Anderson, Balmer, Barbee, Barnes, Barnhill, Beard, Black, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holt, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kennedy, Kerr, Lewis, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Miller, Morgan, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, and Woodard - 91.

Voting in the negative: Representatives Beall, Kimsey, and Ligon - 3.

Excused absences: Representatives Albertson, Bowen, Foster, Fussell, Robinson, and Wood - 6.

Committee Substitute for **H.B. 278, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF LONG BEACH TO ALLOW THE TOWN TO ASSESS BENEFITED PROPERTY FOR UNDERGROUNDING OF UTILITIES, AND FOR CONSTRUCTION OF PUBLIC STREETS BY NECESSITY**, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowie, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dickson, Dockham, Easterling, Esposito, Flaherty, Fletcher, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Miller, Morgan, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne,

Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, and Woodard - 97.

Voting in the negative: None.

Excused absences: Representatives Albertson, Bowen, Foster, Fussell, Robinson, and Wood - 6.

H.B. 390, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE FEES FOR PLANT PEST INSPECTION AND CERTIFICATION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowie, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dickson, Dockham, Easterling, Esposito, Flaherty, Fletcher, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, R. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Miller, Morgan, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, and Woodard - 94.

Voting in the negative: Representative Decker.

Excused absences: Representatives Albertson, Bowen, Foster, Fussell, Robinson, and Wood - 6.

Committee Substitute for **H.B. 321, A BILL TO BE ENTITLED AN ACT TO EXEMPT REAL ESTATE ACQUIRED BY THE DEPARTMENT OF TRANSPORTATION FROM THE REQUIREMENT THAT IT BE APPRAISED BY LICENSED OR CERTIFIED APPRAISER WHEN THE ESTIMATED VALUE OF THE REAL ESTATE IS LESS THAN TEN THOUSAND DOLLARS**, passes its second reading, by electronic vote (97-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 330, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF MOTOR VEHICLE DEALER**.

Representative Hightower moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

A division having been called, the motion to re-refer the bill fails by electronic vote (38-62).

Representative Hackney offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (84-13).

Representative Michaux objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 25**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ESTABLISH A COMMUNITY SERVICE PROGRAM; AND TO REQUIRE THAT COMMUNITY SERVICE SHALL BE PERFORMED IN EXCHANGE FOR REMITTED FINES.

On motion of Representative Jones, consideration of the bill is postponed until April 18.

Committee Substitute for **H.B. 410**, A BILL TO BE ENTITLED AN ACT TO AMEND THE ENVIRONMENTAL POLICY ACT OF 1971 AND TO MAKE THE ACT PERMANENT, passes its second reading by electronic vote (98-0).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

H.B. 582, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT SPIN-OFFS OF PROFESSIONAL CORPORATIONS ARE ALLOWED ONLY IF CARRIED OUT IN ACCORDANCE WITH FEDERAL LAW AS IT MAY BE AMENDED.

On motion of Representative Abernethy, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Kennedy for the Committee on Judiciary I:

H.B. 289, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN CONVEYANCES WHERE SEALS WERE OMITTED OR NOTARY WAS NOT QUALIFIED, CERTAIN NOTICES TO CREDITORS OF DECEDENTS WHERE THE DEADLINE FOR SUBMITTING CLAIMS WAS OMITTED, AND CERTAIN FORECLOSURE SALES, with a favorable report.

H.B. 303, A BILL TO BE ENTITLED AN ACT TO ALLOW MORE THAN ONE POSTPONEMENT OF FORECLOSURE SALES WITHIN THE NINETY-DAY POSTPONEMENT PERIOD, with a favorable report.

By Representative R. Hunter for the Committee on Judiciary III:

H.B. 534, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE VICTIMS COMPENSATION ACT, with a favorable report, as amended.

On motion of Representative Jack Hunt, seconded by Representative Hardaway, the House adjourns at 4:16 p.m. to reconvene April 17 at 1:30 p.m.

FORTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 17, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of April 16 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (81-0).

Leaves of absence are granted Representatives Fussell, Hardaway, and Robinson for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 464, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FEES PAYABLE BY SEED GROWERS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 19. The original bill is placed on the Unfavorable Calendar.

S.B. 110, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE TAXES ON MOTOR FUELS, SPECIAL FUEL, AND MOTOR CARRIERS, AND TO TEMPORARILY RESTORE THE \$40,000 CAP ON BONDS THAT MAY BE REQUIRED OF FUEL DISTRIBUTORS AND SUPPLIERS, with a favorable report.

By Representative Gist for the Committee on Local and Regional Government I:

H.B. 573, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE ALL OF THE SCHOOL ADMINISTRATIVE UNITS IN GUILFORD COUNTY OR TO PROVIDE FOR THE TWO CITY SCHOOL ADMINISTRATIVE UNITS IN THAT COUNTY TO HAVE BOUNDARIES COTERMINOUS WITH THE CITIES, SUBJECT TO A REFERENDUM, with a favorable report, as amended.

On motion of Representative Gist, the bill and amendment are re-referred to the Committee on Finance.

H.B. 592, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WASHINGTON TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report.

On motion of Representative Gist, the bill is re-referred to the Committee on Finance.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Beard for the Permanent Subcommittee on Insurance of the Standing Committee on Commerce, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 482, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAWS ON THIRD PARTY ADMINISTRATORS, with a favorable report.

On motion of Representative Beard, the bill is re-referred to the Committee on Finance by electronic vote (95-0).

H.B. 483, A BILL TO BE ENTITLED AN ACT TO MAKE IMPROVEMENTS IN THE FINANCIAL REGULATION OF CONTINUING CARE FACILITIES, with a favorable report, as amended.

On motion of Representative Beard, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Finance.

SUSPENSION OF RULES TO WITHDRAW BILL FROM COMMITTEE

On motion of Representative Gist, the rules are suspended and **H.B. 573, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE ALL OF THE SCHOOL ADMINISTRATIVE UNITS IN GUILFORD COUNTY OR TO PROVIDE FOR THE TWO CITY SCHOOL ADMINISTRATIVE UNITS IN THAT COUNTY TO HAVE BOUNDARIES COTERMINOUS WITH THE CITIES, SUBJECT TO A REFERENDUM,** is withdrawn from the Committee on Finance and placed on the Calendar for immediate consideration.

On motion of Representative Gist, Committee Amendments Nos. 1 and 2 are adopted.

Representative Gist moves that the bill, as amended, be re-referred to the Committee on Finance.

Representative Decker moves that the bill be re-referred to the Committee on Local and Regional Government I.

The Speaker rules the motion by Representative Decker is out of order.

The Chair, under Rule 38(b), orders the bill engrossed and referred to the Committee on Finance.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

S.B. 243, A BILL TO BE ENTITLED AN ACT TO MAKE APPOINTMENTS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE, with a favorable report.

SUBCOMMITTEES REFERRALS

Representative DeVane, Chairman for the Standing Committee on Environment, refers:

H.B. 746, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO PROVIDE AND MAINTAIN RECYCLING BINS AT HIGHWAY REST AREAS, TO REQUIRE THE DEPARTMENT OF AGRICULTURE TO PROVIDE AND MAINTAIN RECYCLING BINS AT THE STATE FAIR-GROUNDS IN RALEIGH, AND TO REQUIRE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO PROVIDE AND MAINTAIN RECYCLING BINS AT STATE PARKS AND AT THE NORTH CAROLINA ZOOLOGICAL PARK, to the Permanent Subcommittee on Solid Waste.

H.B. 758, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A CITY TO REQUIRE AN OWNER OR A TENANT OF AN INHABITED BUILDING IN THE CITY TO PARTICIPATE IN ANY SOLID WASTE COLLECTION SERVICE PROVIDED BY THE CITY, to the Permanent Subcommittee on Solid Waste.

Representative James, Chairman for the Standing Committee on Agriculture, refers:

S.B. 148, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE PRODUCTION OF CROPS, FRUITS, VEGETABLES, ORNAMENTAL AND FLOWERING PLANTS, ETC., IS A BONA FIDE FARM PURPOSE IN THE ZONING STATUTES, to the Permanent Subcommittee on Crops and Animal Husbandry.

H.B. 633, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A TURFGRASS/FORAGE RESEARCH ASSESSMENT, to the Permanent Subcommittee on Crops and Animal Husbandry.

H.B. 729, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A PORK PROMOTION ASSESSMENT, to the Permanent Subcommittee on Crops and Animal Husbandry.

H.B. 554, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONTROL OF AQUATIC WEEDS, to the Permanent Subcommittee on Aquaculture and Marine Fisheries.

S.B. 149, A BILL TO BE ENTITLED AN ACT TO INCLUDE HORTICULTURE, THE RAISING OF LIVESTOCK AND POULTRY, AND AQUACULTURE IN THE DEFINITION OF THE TERMS "AGRICULTURE" AND "AGRICULTURAL" AS THEY ARE USED IN THE AGRICULTURAL DEVELOPMENT ACT, to the Permanent Subcommittee on Forestry, Horticulture and Wildlife.

S.B. 150, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR THE PRODUCTION AND SALE OF FALLOW DEER, to the Permanent Subcommittee on Forestry, Horticulture and Wildlife.

Representative Barnes, Chairman for the Standing Committee on Education, refers:

H.B. 47, A BILL TO BE ENTITLED AN ACT SUPPORTING THE EFFORTS OF TEACHERS TO CONTROL THEIR CLASSES AND REQUIRING PARENTS TO ASSIST IN DISCIPLINING THEIR CHILDREN AT SCHOOL, to the Permanent Subcommittee on Pre-school, Elementary and Secondary Education.

H.B. 92, A BILL TO BE ENTITLED AN ACT TO REQUIRE SCHOOL PRINCIPALS TO LIMIT THE AMOUNT OF TIME A SCHOOL COUNSELOR IS ASSIGNED TO NONCOUNSELING DUTIES, to the Permanent Subcommittee on Preschool, Elementary and Secondary Education.

H.B. 628, A BILL TO BE ENTITLED AN ACT TO LIMIT THE NUMBER OF HOURS THAT YOUTHS ENROLLED IN SCHOOL ARE ALLOWED TO WORK, to the Permanent Subcommittee on Pre-school, Elementary and Secondary Education.

H.B. 740, A BILL TO BE ENTITLED AN ACT RELATING TO ELIGIBILITY TO SERVE ON A COMMUNITY COLLEGE BOARD OF TRUSTEES, to the Permanent Subcommittee on Community Colleges.

H.B. 307, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING SCHOLARSHIPS FOR CHILDREN OF WAR VETERANS TO INCLUDE CHILDREN OF PERSIAN GULF VETERANS AND TO MAKE TECHNICAL CHANGES, to the Permanent Subcommittee on University Education and Affairs.

Representative Mavretic, Chairman for the Standing Committee on State Government, refers:

H.B. 562, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE COUNCIL ON THE STATUS OF WOMEN TO THE NORTH CAROLINA COUNCIL FOR WOMEN, to the Permanent Subcommittee on Military, Veterans and Indian Affairs.

H.B. 575, A BILL TO BE ENTITLED AN ACT TO BROADEN COVERAGE UNDER THE STATE SCHOLARSHIP PROGRAM TO

INCLUDE CHILDREN OF WAR VETERANS WITH ANY DISABILITY RATING, to the Permanent Subcommittee on Military, Veterans and Indian Affairs.

H.B. 595, A BILL TO BE ENTITLED AN ACT TO ADD AN INDIAN MEMBER FROM THE MEHERRIN TRIBE TO THE COMMISSION ON INDIAN AFFAIRS AND TO MAKE CERTAIN TECHNICAL CHANGES, to the Permanent Subcommittee on Military, Veterans and Indian Affairs.

H.B. 552, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SUSPENSION OR REVOCATION OF PROFESSIONAL AND OCCUPATIONAL LICENSES OR CERTIFICATIONS OF A DEFENDANT CONVICTED OF A STATE OR FEDERAL DRUG OFFENSE, to the Permanent Subcommittee on State Boards and Commissions.

H.B. 559, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION IN THE LAW REGARDING CERTIFICATES FOR FIRE PREVENTION INSPECTORS, to the Permanent Subcommittee on State Parks, Facilities and Property.

H.B. 714, A BILL TO BE ENTITLED AN ACT TO PERMIT VOLUNTEER FIRE DEPARTMENTS AND RESCUE SQUADS TO PURCHASE MATERIALS AND SUPPLIES UNDER STATE CONTRACT, to the Permanent Subcommittee on State Parks, Facilities and Property.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Green for the Permanent Subcommittee on Aging:

H.B. 452, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON ANNUAL FEES CHARGED BY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO SUPPORT PUBLIC HEALTH PROGRAMS, AND TO EXEMPT NUTRITION PROGRAMS FOR THE ELDERLY FROM SUCH FEES, reported to the Standing Committee on Human Resources, with a favorable recommendation and recommend that the bill be referred to the Committee on Finance.

By Representative Green for the Permanent Subcommittee on Aging of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 505, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING RESPITE CARE, with a favorable report.

S.B. 102, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE DEPARTMENT OF HUMAN RESOURCES REPORT CHANGES IN DOMICILIARY HOME REGULATING, LICENSING, AND MONITORING TO THE NORTH CAROLINA STUDY COMMISSION ON AGING, with a favorable report.

By Representative Cunningham for the Permanent Subcommittee on Housing of the Standing Committee on Commerce, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 182, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE NORTH CAROLINA HOUSING FINANCE AGENCY TO EXPAND ITS USE OF THE MULTIFAMILY RENTAL ASSISTANCE FUND TO AID IN THE PREVENTION OF HOMELESSNESS, with a favorable report.

H.B. 211, A BILL TO BE ENTITLED AN ACT TO ALLOW DEMOLITION OF DWELLINGS UNDER G.S. 160A-443 FOLLOWING AN ORDER OF THE PUBLIC OFFICER, with a favorable report.

SUBCOMMITTEE REFERRAL

Representatives Hackney and Miller, Chairmen for the Standing Committee on Finance, refer:

H.B. 444, A BILL TO BE ENTITLED AN ACT TO REQUIRE WITHHOLDING OF INCOME TAXES FROM SALES OF REAL PROPERTY AND ASSOCIATED TANGIBLE PERSONAL PROPERTY BY NONRESIDENTS, to the Permanent Subcommittee on State Revenues.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 68, AN ACT TO MAKE THE UNIFORM MANAGEMENT OF INSTITUTIONAL FUNDS ACT APPLICABLE TO COMMUNITY FOUNDATION ENDOWMENT FUNDS ADMINISTERED BY BANKS OR TRUST COMPANIES. (CHAPTER 39)

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Ligon, Brawley, Buchanan, Culp, Dockham, Gardner, Hege, Howard, Kimsey, and Russell:

H.B. 842, A BILL TO BE ENTITLED AN ACT TO CREATE THE PRIVATIZATION OF LOCAL ABC STORE SYSTEM STUDY COMMISSION, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Wicker, Bowman, Ethridge, Flaherty, Fletcher, Justus, and Warner:

H.B. 843, A BILL TO BE ENTITLED AN ACT TO AMEND THE SAFE ROADS ACT, is referred to the Committee on Judiciary I.

By Representatives Wicker and Decker:

H.B. 844, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM PROPERTY TAXATION A CEMETERY'S BURIAL LOTS, is referred to the Committee on Finance.

By Representatives Beard and Bowman:

H.B. 845, A BILL TO BE ENTITLED AN ACT TO PROVIDE INSURED OPTIONS FOR LOWER LIMITS OF UNDERINSURED MOTORIST COVERAGE IN AUTOMOBILE LIABILITY INSURANCE POLICIES, is referred to the Committee on Commerce.

By Representative Beard:

H.B. 846, A BILL TO BE ENTITLED AN ACT TO AMEND INSURANCE LAWS RELATING TO INSURANCE PREMIUM FINANCING, is referred to the Committee on Commerce.

By Representatives Beard, Bowman, Justus, and Warner:

H.B. 847, A BILL TO BE ENTITLED AN ACT TO REDUCE THE LEGAL LIMIT OF BLOOD ALCOHOL FROM 0.10 TO 0.05, is referred to the Committee on Judiciary II.

By Representative Redwine:

H.B. 848, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REQUIREMENTS CONCERNING THE INDEXING AND FILING OF CERTAIN UCC STATEMENTS, is referred to the Committee on Judiciary II.

By Representative Redwine:

H.B. 849, A BILL TO BE ENTITLED AN ACT TO REQUIRE REGISTERS OF DEEDS TO RECORD AS SEPARATE INSTRUMENTS ALL SUBSEQUENT ENTRIES REGARDING DEEDS OF TRUST, MORTGAGES, AND OTHER INSTRUMENTS AS SEPARATE INSTRUMENTS, is referred to the Committee on Judiciary II.

By Representative Redwine:

H.B. 850, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE LAND RECORDS MANAGEMENT PROGRAM TO ADOPT RULES SPECIFYING MINIMUM STANDARDS AND PROCEDURES IN LAND RECORDS MANAGEMENT AND TO REQUIRE REGISTER OF DEEDS OFFICES TO COMPLY WITH THOSE STANDARDS AND PROCEDURES, is referred to the Committee on Judiciary II.

By Representatives Redwine, Bowman, and Warner:

H.B. 851, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TO THE EXTENT A COUNTY PROVIDES LIABILITY INSURANCE TO COUNTY OFFICERS OR EMPLOYEES IT SHALL PROVIDE LIABILITY INSURANCE TO THE REGISTER OF DEEDS, is referred to the Committee on Commerce.

By Representatives Gottovi, Flaherty, and Warner:

H.B. 852, A BILL TO BE ENTITLED AN ACT TO MAKE UNLAWFUL THE SALE OF CIGARETTES TO ANY PERSON WHO IS LESS THAN EIGHTEEN YEARS OLD, is referred to the Committee on Judiciary III.

By Representatives Woodard, Bowman, and Warner:

H.B. 853, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HEALTH INSURANCE POLICIES FROM LIMITING PATIENT CHOICE IN SELECTING PHARMACY SERVICES, is referred to the Committee on Commerce.

By Representatives Stewart and Wicker:

H.B. 854, A BILL TO BE ENTITLED AN ACT REGARDING THE CONTRACTS OF SUPERINTENDENTS OF LOCAL BOARDS OF EDUCATION, is referred to the Committee on Education.

By Representative Hasty:

H.B. 855, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW REGARDING BENEFIT CHARGES TO EMPLOYER ACCOUNTS, is referred to the Committee on Economic Expansion.

By Representative James:

H.J.R. 856, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE DESIRABILITY AND FEASIBILITY OF TRANSFERRING THE SOIL AND WATER CONSERVATION DIVISION OF THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO THE DEPARTMENT OF AGRICULTURE, is referred to the Committee on Rules, Appointments and Calendar.

By Representative James:

H.J.R. 857, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE DESIRABILITY AND FEASIBILITY OF TRANSFERRING THE FOREST RESOURCES DIVISION OF THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO THE DEPARTMENT OF AGRICULTURE, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Nye, Bowman, and Warner:

H.B. 858, A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN UNCOMPENSATED EMERGENCY TREATMENT BY A PHYSICIAN UNDER THE GOOD SAMARITAN STATUTE, is referred to the Committee on Judiciary I.

By Representatives Nye, Bowman, and Justus:

H.B. 859, A BILL TO BE ENTITLED AN ACT TO SET MAXIMUM RATES FOR RESIDENTS IN DOMICILIARY CARE FACILITIES, is referred to the Committee on Appropriations.

By Representative Nye:

H.B. 860, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE SOCIAL SERVICES COMMISSION ADOPT RULES

SETTING STATE/COUNTY SPECIAL ASSISTANCE ELIGIBILITY FOR DOMICILIARY CARE TO CORRESPOND WITH THE RULES DETERMINING FEDERAL MEDICAID ELIGIBILITY, is referred to the Committee on Human Resources.

By Representatives Jones, Bowman, and Warner:

H.B. 861, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MOTOR VEHICLES SHALL STOP FOR SCHOOL BUSES EXHIBITING FLASHING RED STOPLIGHTS, is referred to the Committee on Judiciary III.

By Representatives Gray and Warner:

H.B. 862, A BILL TO BE ENTITLED AN ACT TO REDUCE THE TOXICITY OF PACKAGING WASTE, is referred to the Committee on Environment.

By Representatives Privette and Warner:

H.B. 863, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT AT LEAST THIRTY-FIVE PERCENT OF THE PROCEEDS FROM BINGO GAMES BE USED FOR CHARITABLE PURPOSES, is referred to the Committee on Judiciary III.

By Representatives Jeralds and Warner:

H.B. 864 A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS TO REIMBURSE LICENSED PRIVATE ADOPTION AGENCIES THAT MAKE HARD-TO-PLACE CHILDREN'S ADOPTIONS POSSIBLE, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 287, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE EMPLOYMENT SECURITY LAW PERTAINING TO CONTRIBUTIONS AND COVERAGE, is read the first time and referred to the Committee on Economic Expansion.

S.B. 319, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW PERTAINING TO WAIVER OF LATE FILING PENALTIES, is read the first time and referred to the Committee on Economic Expansion.

S.B. 321, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES TO THE EMPLOYMENT SECURITY LAW, is read the first time and referred to the Committee on Economic Expansion.

S.B. 459, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CIVIL PENALTIES WHICH MAY BE ASSESSED FOR VIOLATION OF THE WELL CONSTRUCTION ACT, is read the first time and referred to the Committee on Environment.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Fletcher for the Permanent Subcommittee on Financial Institutions of the Standing Committee on Commerce, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 52, A BILL TO BE ENTITLED AN ACT TO REGULATE FOREIGN CREDIT UNIONS, with a favorable report.

H.B. 54, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE STATUTES RELATING TO CREDIT UNIONS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

H.B. 244, A BILL TO BE ENTITLED AN ACT CONCERNING MUNICIPAL ELECTIONS IN THE CITY OF HIGH POINT.

On motion of Representative Jarrell, the House concurs in the Senate amendment, by electronic vote (104-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 577, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE VILLAGE OF PINEHURST**, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnhill, Beall, Bowen, Bowie, Bowman, Brawley, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Fussell, Gamble, Gardner, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hasty, Hege, Hensley, Hightower, Holt, Howard, Huffman, Jack Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Smith, Stamey, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 105.

Voting in the negative: None.

Excused absences: Representatives Hardaway and Robinson - 2.

H.B. 607, A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD OF ELECTING THE BOARD OF COMMISSIONERS

FOR THE TOWN OF WILLIAMSTON, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 608, A BILL TO BE ENTITLED AN ACT TO ALLOW THE VILLAGE OF BALD HEAD ISLAND TO OPERATE A CONTRACT POST OFFICE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 611, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE OF THE NONPARTISAN AVERY COUNTY SCHOOL BOARD ELECTION FROM MAY TO NOVEMBER, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 330, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF MOTOR VEHICLE DEALER**.

Representative Michaux offers Amendment No. 2 which is adopted by electronic vote (105-0).

The bill, as amended, passes its third reading, by electronic vote (105-0), and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 410, A BILL TO BE ENTITLED AN ACT TO AMEND THE ENVIRONMENTAL POLICY ACT OF 1971 AND TO MAKE THE ACT PERMANENT**, passes its third reading, by electronic vote (106-1), and is ordered sent to the Senate.

Committee Substitute for **H.B. 149, A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATE EFFORT TO PROVIDE REMEDIATION**, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Fletcher for the Permanent Subcommittee on Financial Institutions of the Standing Committee on Commerce, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 277, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE COMMISSIONER OF BANKS UNDER THE CONSUMER FINANCE ACT, with a favorable report.

CALENDAR (continued)

Committee Substitute for **H.B. 300, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THERE SHALL BE NO INSURANCE**

POINTS ASSESSED FOR SPEEDING TEN MILES OR LESS OVER THE SPEED LIMIT FOR FIRST OFFENSE IN THREE YEARS WHERE SPEED LIMIT EXCEEDS FIFTY-FIVE MILES PER HOUR.

Representative Mercer calls the previous question on the passage of the bill and the call is sustained.

The bill passes its second reading by electronic vote (101-7).

Representative Kennedy objects to the third reading. The bill remains on the Calendar.

Representative Kennedy withdraws her objection to the third reading.

Representative Diamont objects to the third reading. The bill remains on the Calendar.

House Committee Substitute for **S.B. 209**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ISSUANCE OF FICTITIOUS DRIVERS LICENSES AND REGISTRATION PLATES AND TO CREATE A CONFIDENTIAL REGISTRATION FILE, passes its second reading by electronic vote (101-0).

Representative Nesbitt objects to the third reading. The bill remains on the Calendar.

REPRESENTATIVE FITCH, MAJORITY WHIP, PRESIDING.

H.B. 494, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE BUSINESS COMMUNITY TO FACILITATE STUDENT ACHIEVEMENT.

Representative Decker offers Amendment No. 1 which is adopted by electronic vote (92-5).

Representative Diamont offers Amendment No. 2 which is adopted by electronic vote (96-6).

Representative Nesbitt calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading by electronic vote (70-40).

Representative Pope objects to the third reading. The bill remains on the Calendar.

SUSPENSION OF RULES TO INTRODUCE RESOLUTION

On motion of Representative Miller, the rules are suspended and the following is introduced and read the first time:

By Speaker Blue; Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham,

Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard:

H.J.R. 914, A JOINT RESOLUTION HONORING DUKE UNIVERSITY ON WINNING THE NCAA DIVISION I MEN'S BASKETBALL CHAMPIONSHIP, is referred to the Committee on Rules, Appointments and Calendar.

CALENDAR (continued)

H.B. 623, A BILL TO BE ENTITLED AN ACT TO ALLOW COLUMBUS COUNTY TO ENTER INTO LONG-TERM SOLID WASTE DISPOSAL CONTRACTS AND FRANCHISE AGREEMENTS.

On motion of Representative Redwine, the rules are suspended, by electronic vote (96-0), in order to offer an amendment, which changes the title.

Representative Redwine offers Amendment No. 1 which is adopted by electronic vote (94-0). This amendment changes the title.

The bill, as amended, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading, by electronic vote (93-0), and is ordered engrossed and sent to the Senate.

H.B. 305, A BILL TO BE ENTITLED AN ACT TO REVISE THE ESSENTIAL ELEMENTS REQUIRED TO PROVE ARMED ROBBERY.

Representative Balmer offers Amendment No. 1 which is adopted by electronic vote (84-1).

Representative Michaux moves that the bill be re-referred to the Committee on Judiciary II. This motion fails by electronic vote (51-53).

SPEAKER BLUE PRESIDING.

Representative Miller requests under Rule 36.1 a fiscal note to the bill.

Responding to inquiry by Representative Mavretic, the Speaker states that under Rule 36.1(b) there would be a two-day delay of further action on the bill or an alternative would be to re-refer the bill to the

Committee on Appropriations for analysis. When a fiscal note is requested it does obstruct any action on the bill until that note is attached to the bill.

Representative Mavretic asks if the fiscal note could not be requested before final action is taken on the bill.

The Speaker rules that the fiscal note, having been requested under Rule 36.1(d), should be attached before passage on second reading.

Representative Rhyme rises on a point of parliamentary inquiry and in answer to his questions, the Speaker states that when the bill is back on the Calendar in two days, action will continue from the point of today's action. The Speaker also rules that under Rule 14 a motion would not be in order to re-refer the bill until additional action had been taken on the bill. The Speaker also states that if a fiscal note has not been attached by Friday, then a motion would be in order to postpone action until a day certain.

The Speaker rules that in order for the bill to be considered on its second reading, a fiscal note needs to be attached.

Representative Balmer moves that Rule 36.1 be suspended in order for the bill to have its second reading.

Representative Jack Hunt moves, seconded by Representative Bowen, subject to the reading of notices and announcements, the House do adjourn. This motion carries by electronic vote (66-41).

The House adjourns at 5:00 p.m. to reconvene April 18 at 1:30 p.m.

FORTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Thursday, April 18, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Wainwright.

Representative Jack Hunt, for the Committee on Rules, Appointments, and Calendar reports the Journal of April 17 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Abernethy, Diamont, Fitch, R. Hunter, Kennedy, and Ligon for today.

REPORTS OF COMMITTEE

The following reports from standing committees are presented:

By Representative Dawkins for the Committee on Judiciary II:

H.B. 427, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ROLE OF THE ATTORNEY GENERAL'S OFFICE IN COMMITMENT HEARINGS, with a favorable report.

H.B. 453, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE WAGE AND HOUR ACT, with a favorable report.

H.B. 456, A BILL TO BE ENTITLED AN ACT TO AMEND THE WAGE AND HOUR ACT TO PROVIDE FOR ATTORNEYS' FEES AND LIQUIDATED DAMAGES UNDER CERTAIN CIRCUMSTANCES, with a favorable report.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Lilley for the Permanent Subcommittee on Ways and Means:

H.B. 316, A BILL TO BE ENTITLED AN ACT TO CHANGE CERTAIN EXAMINATION FEES CHARGED BY THE BOARD OF COSMETOLOGY EXAMINERS, reported to the Standing Committee on Finance, with a favorable recommendation as to proposed committee substitute bill, which changes the title, unfavorable as to original bill.

REPORT OF COMMITTEE

The following reports from standing committee are presented:

By Representatives Hackney and Miller for the Committee on Finance:

Committee Substitute for **S.B. 166, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF AGING, TO CHARGE FEES FOR IN-HOME AND COMMUNITY-BASED SERVICES**, with a favorable report.

H.B. 574, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF FOSCOE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 22. The original bill is placed on the Unfavorable Calendar.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative J. W. Crawford for the Permanent Subcommittee on Water, Air and Soil of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 423, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MEANING OF "REPAIR" OF A SANITARY SEWAGE SYSTEM, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 22. The original bill is placed on the Unfavorable Calendar.

By Representative J. W. Crawford for the Permanent Subcommittee on Water, Air and Soil:

H.B. 449, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE SEDIMENTATION POLLUTION CONTROL ACT, reported to the Standing Committee on Environment, with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

H.J.R. 914, A JOINT RESOLUTION HONORING DUKE UNIVERSITY ON WINNING THE NCAA DIVISION I MEN'S BASKETBALL CHAMPIONSHIP, with a favorable report.

On motion of Representative Jack Hunt, the rules are suspended and the resolution is placed on today's Calendar.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Stewart for the Permanent Subcommittee on State Boards and Commissions:

H.B. 246, A BILL TO BE ENTITLED AN ACT TO REENACT A PORTION OF SECTION 2 OF CHAPTER 467, SESSION LAWS OF 1979, ESTABLISHING THE EQUITY INVESTMENT ADVISORY COMMITTEE, WHICH WAS INADVERTENTLY REPEALED BY SECTION 5 OF CHAPTER 751, SESSION LAWS OF 1987, reported to the Standing Committee on State Government, with a favorable recommendation.

H.B. 353, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AMENDMENTS TO THE PHARMACY PRACTICE ACT, reported to the Standing Committee on State Government, with a favorable recommendation.

H.B. 409, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES OR HIS DESIGNEE SHALL BE AN EX OFFICIO MEMBER OF THE NORTH CAROLINA FARMWORKER COUNCIL, reported to the Standing Committee on State Government, with a favorable recommendation.

H.B. 411, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE GOVERNOR'S COUNCIL ON PHYSICAL FITNESS AND HEALTH TO SANCTION THE STATE GAMES AND OTHER COMPETITIVE ATHLETIC EVENTS FOR WHICH SANCTIONING BY THE STATE IS REQUIRED, reported to the Standing Committee on State Government, with a favorable recommendation.

SUBCOMMITTEE REFERRALS

Representative Hasty, Chairman for the Standing Committee on Economic Expansion, refers:

H.B. 855, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW REGARDING BENEFIT CHARGES TO EMPLOYER ACCOUNTS, to the Permanent Subcommittee on Small Business.

S.B. 287, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE EMPLOYMENT SECURITY LAW PERTAINING TO CONTRIBUTIONS AND COVERAGE, to the Permanent Subcommittee on Labor Relations and Employment.

S.B. 319, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW PERTAINING TO WAIVER OF LATE FILING PENALTIES, to the Permanent Subcommittee on Labor Relations and Employment.

S.B. 321, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES TO THE EMPLOYMENT SECURITY LAW, to the Permanent Subcommittee on Labor Relations and Employment.

S.B. 362, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TERM OF OFFICE OF THE MEMBERS OF THE U.S.S. NORTH CAROLINA BATTLESHIP COMMISSION, to the Permanent Subcommittee on Travel, Tourism and Economic Development.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 244, AN ACT CONCERNING MUNICIPAL ELECTIONS IN THE CITY OF HIGH POINT. (CHAPTER 40)

SUBCOMMITTEE REFERRALS

Representative DeVane, Chairman for the Standing Committee on Environment, refers:

H.B. 862, A BILL TO BE ENTITLED AN ACT TO REDUCE THE TOXICITY OF PACKAGING WASTE, to the Permanent Subcommittee on Solid Waste.

S.B. 459, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CIVIL PENALTIES WHICH MAY BE ASSESSED FOR VIOLATION OF THE WELL CONSTRUCTION ACT, to the Permanent Subcommittee on Water, Air and Soil.

REPRESENTATIVE COLTON, SPEAKER PRO TEMPORE PRESIDING.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives R. Hunter, Anderson, Fletcher, and Smith:

H.B. 865, A BILL TO BE ENTITLED AN ACT TO ALLOW A LIMITED REPRESENTATIVE TO RECEIVE A LICENSE TO SELL CREDIT PROPERTY INSURANCE AND AUTOMOBILE PHYSICAL DAMAGE INSURANCE ISSUED IN CONNECTION WITH A LOAN, is referred to the Committee on Commerce.

By Representatives Stamey, Abernethy, Albertson, Balmer, Barbee, Black, Bowie, Bowman, Brawley, Brubaker, Buchanan, Church, N. J. Crawford, Creech, Culp, Dawkins, Dockham, Esposito, Ethridge, Fitch, Fletcher, Gamble, Gray, Greenwood, Grimmer, Hardaway, Hasty, Hege, Hensley, Jack Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jordan, Justus, Kerr, Ligon, Lilley, Lineberry, Lutz, McLawhorn, Morgan, Nesbitt, Pope, Privette, Rhodes, Rhyne, Rogers, Russell, Smith, Tallent, Warner, Wicker, Wilson, and Woodard:

H.B. 866, A BILL TO BE ENTITLED AN ACT CREATING THE NORTH CAROLINA AIR CARGO AIRPORT AUTHORITY, AUTHORIZING THE ISSUANCE OF REVENUE BONDS TO FINANCE AIRPORT AND INDUSTRIAL FACILITIES AND AUTHORIZING UNITS OF LOCAL GOVERNMENT TO TAKE CERTAIN ACTIONS IN CONNECTION THEREWITH, is referred to the Committee on Transportation.

By Representatives Albertson, Anderson, Balmer, Barbee, Black, Bowie, Bowman, Church, N. J. Crawford, Dickson, Flaherty, Fletcher, Grimmer, Hardaway, Justus, McLawhorn, Mercer, Russell, Smith, and Wilson:

H.J.R. 867, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY VARIOUS OPTIONS FOR THE USE OF PRISON INMATES, is referred to the Committee on Rules, Appointments and Calendar.

By Representative R. Hunter:

H.B. 868, A BILL TO BE ENTITLED AN ACT TO PROVIDE A MEANS OF RECORDING A NOTICE DOCUMENT PRIOR TO A REAL ESTATE CLOSING WHICH WOULD FIX AT THAT TIME THE PRIORITY OF TITLE DOCUMENTS RECORDED LATER IN CONNECTION WITH THAT REAL ESTATE CLOSING, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary III.

By Representative Brubaker:

H.B. 869, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN LOAN AND APPRAISAL FEES AND TO AMEND THE USURY LAWS APPLICABLE TO COMMERCIAL LOANS, is referred to the Committee on Commerce.

By Representatives Justus, Bowie, Brown, Brubaker, Chapin, Decker, DeVane, Dickson, Dockham, Ethridge, Fletcher, Greenwood, Hege, Howard, Hurley, Kerr, Ligon, Lineberry, McLawhorn, Mercer,

Pope, Rhodes, Russell, Smith, Stewart, Thompson, Wilson, and Woodard:

H.B. 870, A BILL TO BE ENTITLED AN ACT TO REQUIRE IDENTIFICATION OF VOTERS, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Green, Dickson, Mercer, and Oldham:

H.B. 871, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR MAGNETOMETERS FOR THE PUBLIC SCHOOLS, is referred to the Committee on Appropriations.

By Representatives Gardner and H. Hunter:

H.B. 872, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL SERVICES FOR HANDICAPPED PERSONS AT MOTOR FUEL FACILITIES, is referred to the Committee on Judiciary II.

By Representatives Fletcher, H. Hunter, and Tallent:

H.B. 873, A BILL TO BE ENTITLED AN ACT TO POSTPONE THE DEADLINE: (1) FOR COMPLETING THE CLASSIFICATION OF WATER SUPPLY WATERSHEDS AND (2) FOR SUBMITTING LOCAL WATER SUPPLY ORDINANCES, is referred to the Committee on Environment.

By Representative Bowman:

H.B. 874, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE LAW REGARDING THE TAKING UP OF STRAY LIVESTOCK AND TO CONFORM THAT LAW WITH THE LAW REGARDING THE TAKING UP OF LIVESTOCK RUNNING AT LARGE, is referred to the Committee on Agriculture.

By Representative Barnes:

H.B. 875, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FISCAL NOTES ON LEGISLATION CAUSING A NET INCREASE IN INCARCERATION, is referred to the Committee on Appropriations.

By Representatives Dawkins, Beard, N. J. Crawford, Foster, Lilley, Lineberry, Privette, and Wainwright:

H.B. 876, A BILL TO BE ENTITLED AN ACT TO INCLUDE FEE-BASED PASTORAL COUNSELORS WITH OTHER HEALTH CARE PROVIDERS WHERE DISCRIMINATION IS FORBIDDEN FOR INSURANCE PURPOSES, is referred to the Committee on Judiciary II.

By Representative Brawley:

H.B. 877, A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PROVISIONS CONTAINED IN THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, is referred to the Committee on Judiciary I.

By Representative Brawley:

H.B. 878, A BILL TO BE ENTITLED AN ACT TO GIVE PRIORITY TO TEACHING BASICS IN THE PUBLIC SCHOOLS, is referred to the Committee on Education.

By Representatives Green, Barnhill, Beard, Bowman, Fitch, Hardaway, Holt, Judy Hunt, H. Hunter, Hurley, Jarrell, Jeffus, Jeralds, Luebke, McAllister, McLawhorn, Oldham, Smith, Wainwright, and Warner:

H.B. 879, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES FOR TRACKING NEW-BORN INFANTS SCREENED FOR SICKLE CELL ANEMIA, is referred to the Committee on Appropriations.

By Representative J. W. Crawford:

H.B. 880, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MANDATORY CERTIFICATION OF CLINICAL SOCIAL WORKERS, is referred to the Committee on Human Resources.

By Representatives Dawkins, Beard, N. J. Crawford, Foster, Lilley, Lineberry, Privette, and Wainwright:

H.B. 881, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FEE-BASED PRACTICING PASTORAL COUNSELORS CERTIFICATION ACT, is referred to the Committee on Judiciary II.

By Representatives Miller, Bowman, Pope, Smith, and Warner:

H.B. 882, A BILL TO BE ENTITLED AN ACT TO ENHANCE AND PROMOTE ACCURACY IN THE RECORDS OF THE PROCEEDINGS OF PUBLIC BODIES AND TO IMPROVE PUBLIC UNDERSTANDING OF GOVERNMENT, is referred to the Committee on Judiciary II.

By Representatives Miller, Pope, and Smith:

H.B. 883, A BILL TO BE ENTITLED AN ACT TO ENHANCE PUBLIC UNDERSTANDING OF THE BUDGET PROCESS, is referred to the Committee on Judiciary II.

By Representatives Miller and Smith:

H.B. 884, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MANDATORY SEAT BELT LAW, is referred to the Committee on Judiciary II.

By Representatives Luebke and H. Hunter:

H.B. 885, A BILL TO BE ENTITLED AN ACT RELATING TO SOLID WASTE REDUCTION, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Luebke:

H.B. 886, A BILL TO BE ENTITLED AN ACT RELATING TO ENVIRONMENTAL FEES, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Jones, Gottovi, and Warner:

H.B. 887, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FILING FEE FOR CANDIDATES FOR STATEWIDE AND LEGISLATIVE OFFICES, AND TO OFFER A LOWER FILING FEE FOR CANDIDATES WHO AGREE TO PERSONAL LABELING IN RADIO AND TELEVISION ADS, is referred to the Committee on Judiciary I.

By Representatives Bowman, N. J. Crawford, and Smith:

H.B. 888, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA AQUARIUMS COMMISSION AND AQUARIUM ENTRANCE FEES, is referred to the Committee on Finance.

By Representatives Lilley, Anderson, and Wainwright:

H.B. 889, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR COMPLETION OF A NEW ARTS CENTER IN LENIOR COUNTY, is referred to the Committee on Appropriations.

By Representatives Mavretic and Bowman:

H.B. 890, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NEWBORN SCREENING PROGRAM WITHIN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, is referred to the Committee on Human Resources.

By Representative Mavretic:

H.B. 891, A BILL TO BE ENTITLED AN ACT TO CLARIFY QUALIFICATIONS FOR A STATE BUILDING COMMISSION MEMBER, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Mavretic:

H.B. 892, A BILL TO BE ENTITLED AN ACT TO ELIMINATE ORAL DRIVERS LICENSE TESTS, is referred to the Committee on Transportation.

By Representatives Barnes, H. Hunter, and Warner:

H.B. 893, A BILL TO BE ENTITLED AN ACT TO LEVY A TEMPORARY INCOME TAX SURTAX ON INDIVIDUALS TO RAISE REVENUE FOR EDUCATION, is referred to the Committee on Finance.

By Representatives Fitch and H. Hunter:

H.B. 894, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT GOVERNMENT AGENCIES SHALL CONFER WITH LABOR ORGANIZATIONS REGARDING EMPLOYMENT PROPOSALS, is referred to the Committee on Economic Expansion.

By Representative Brubaker:

H.B. 895, A BILL TO BE ENTITLED AN ACT TO ESTABLISH RETAIL PRICE TO BE PAID FOR WARRANTY WORK

PERFORMED BY MOTOR VEHICLE DEALERS, is referred to the Committee on Judiciary III.

By Representative Beall:

H.B. 896, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES IN BALLOT INSTRUCTIONS AND BALLOT FORMAT, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Brawley, Bowman, and Jack Hunt:

H.B. 897, A BILL TO BE ENTITLED AN ACT TO PROHIBIT INSURANCE COMPANIES FROM REQUIRING SPECIFIC REPAIR COMPANIES BE USED BY CLAIMANTS AS A CONDITION FOR PAYING A CLAIM, is referred to the Committee on Commerce.

By Representative R. Hunter:

H.B. 898, A BILL TO BE ENTITLED AN ACT TO LIMIT LATE FEES CHARGED BY A CABLE TELEVISION SYSTEM, is referred to the Committee on Judiciary III.

By Representatives DeVane, Albertson, Bowman, Lilley, and Warner:

H.B. 899, A BILL TO BE ENTITLED AN ACT TO MAKE THE LAW RELATING TO LAW ENFORCEMENT OFFICERS' DEATH BENEFITS MORE EQUITABLE, is referred to the Committee on Pensions and Retirement.

By Representatives DeVane, H. Hunter, and Warner:

H.B. 900, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES CONCERNING RESIDENT INSPECTOR RULES AT SPECIAL PURPOSE COMMERCIAL HAZARDOUS WASTE FACILITIES, is referred to the Committee on Environment.

By Representative DeVane:

H.B. 901, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF COUNTIES AND CITIES TO PROVIDE DEFERRED COMPENSATION BENEFITS TO EMPLOYEES, is referred to the Committee on Pensions and Retirement.

By Representatives Kerr and Warner:

H.B. 902, A BILL TO BE ENTITLED AN ACT TO REMOVE FARM COVERAGES FROM THE JURISDICTION OF THE NORTH CAROLINA RATE BUREAU, is referred to the Committee on Commerce.

By Representatives Kerr, Smith, and Warner:

H.B. 903, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF CIGARETTES TO ANY PERSON LESS THAN EIGHTEEN YEARS OF AGE AND TO CLARIFY THE

APPLICABILITY OF LAWS TO AVOID THEIR CONFLICTING INTERPRETATION, is referred to the Committee on Judiciary III.

By Representative Kerr:

H.B. 904, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF MOTOR VEHICLES BY MOTOR VEHICLE DEALERS AT LOCATIONS OTHER THAN LICENSED ESTABLISHED PLACES OF BUSINESS, is referred to the Committee on Judiciary III.

By Representatives Hightower and Bowman:

H.B. 905, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATE MEANS OF VALUING MOTOR VEHICLES FOR PURPOSES OF TAXATION UNDER THE HIGHWAY USE TAX, is referred to the Committee on Finance.

By Representatives Fletcher, Buchanan, Flaherty, Huffman, Isenhower, and Robinson:

H.B. 906, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES FOR AIR CONDITIONING AT BROUGHTON HOSPITAL, is referred to the Committee on Appropriations.

By Representative Fletcher:

H.B. 907, A BILL TO BE ENTITLED AN ACT TO GIVE GENERAL PAY INCREASES PRIORITY OVER PERFORMANCE PAY AS THE GOVERNOR AND GENERAL ASSEMBLY DETERMINE THE APPROPRIATE ALLOCATION OF STATE EMPLOYEE SALARY INCREASES RELATING TO COST OF LIVING ADJUSTMENTS AND PERFORMANCE PAY, is referred to the Committee on Public Employees.

By Representatives Ethridge, H. Hunter, and Warner:

H.B. 908, A BILL TO BE ENTITLED AN ACT TO ESTABLISH REGULATORY FEES FOR ELECTRIC MEMBERSHIP CORPORATIONS AND TELEPHONE MEMBERSHIP CORPORATIONS TO DEFRAY THE COST TO THE NORTH CAROLINA RURAL ELECTRIFICATION AUTHORITY OF REGULATING MEMBERSHIP CORPORATIONS IN THE INTEREST OF THE PUBLIC, is referred to the Committee on Public Utilities.

By Representatives McLaughlin, Barbee, Bowman, Church, Creech, Diamont, Easterling, Hasty, Hege, Lineberry, and Thompson:

H.B. 909, A BILL TO BE ENTITLED AN ACT TO PROVIDE REDUCED INSURANCE RATES FOR REDUCED COVERAGES, is referred to the Committee on Commerce.

By Representatives Diamont, Bowman, Gottovi, H. Hunter, and McLawhorn:

H.B. 910, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE COMMUNITY-BASED ALTERNATIVES PROGRAM, is referred to the Committee on Appropriations.

By Representative Miller:

H.B. 911, A BILL TO BE ENTITLED AN ACT TO PERMIT THE ISSUANCE OF CERTAIN ABC PERMITS TO ALUMNI ASSOCIATIONS ON SCHOOL AND COLLEGE CAMPUSES, is referred to the Committee on Judiciary II.

By Representatives Gottovi, Bowie, Colton, Flaherty, Hurley, Oldham, and Payne:

H.B. 912, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES TO VACATE AND CLOSE CERTAIN DWELLINGS FOUND TO BE IN VIOLATION OF THE MINIMUM HOUSING CODE, is referred to the Committee on Commerce.

By Representatives Gottovi and Stamey:

H.B. 913, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PERSONS WHO DERIVE A SIGNIFICANT PORTION OF THEIR INCOME FROM DEVELOPMENT-RELATED BUSINESS ACTIVITIES MAY NOT BE APPOINTED AS AT-LARGE MEMBERS OF THE COASTAL RESOURCES COMMISSION, is referred to the Committee on Environment.

By Representatives Barnes and Warner:

H.B. 915, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A CODE OF CONDUCT FOR PRACTICING PSYCHOLOGISTS, is referred to the Committee on State Government.

By Representatives Barnes, Gottovi, and Warner:

H.B. 916, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DISTRIBUTIONS AND REIMBURSEMENTS TO LOCAL GOVERNMENTS SHALL BE PROVIDED BY EARMARKING RATHER THAN BY APPROPRIATION, is referred to the Committee on Appropriations.

By Representatives Wainwright and Bowman:

H.J.R. 917, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE REGULATION OF TEMPORARY AND OTHER EMPLOYMENT AGENCIES, is referred to the Committee on Rules, Appointments and Calendar.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

S.B. 629, A BILL TO BE ENTITLED AN ACT TO EXEMPT UNION COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE CONSTRUCTION OF COUNTY DETENTION FACILITY, is read the first time and referred to the Committee on Local and Regional Government II.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 61, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, is returned for concurrence in Senate amendment and placed on the Calendar for April 19.

Committee Substitute for **S.B. 39**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NO SAFE DRIVER INCENTIVE PLAN POINTS SHALL BE ASSESSED FOR THE FIRST ACCIDENT WITHIN THREE YEARS IF THERE IS PROPERTY DAMAGE ONLY AND NO MOVING VIOLATION INVOLVED, is read the first time and referred to the Committee on Commerce.

REPORT OF COMMITTEE

The following report from standing committees is presented:

By Representative Barnes for the Committee on Education:

H.B. 314, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF PROGRAMS TO ADDRESS THE NURSING SHORTAGE IN NORTH CAROLINA, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 22. The original bill is placed on the Unfavorable Calendar.

RE-REFERRAL

On motion of Representative Nesbitt, **H.B. 30**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATUTES GOVERNING FIRE RELIEF FUNDS, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Pensions and Retirement.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 577**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE VILLAGE OF PINEHURST, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowman, Brawley, Brown, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Decker, Dial, Dickson, Dockham, Easterling, Ethridge, Flaherty, Fletcher, Foster, Gamble, Gardner, Gist, Grady, Gray, Grimmer, Hardaway, Hasty, Hege, Hensley, Hightower, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kimsey, Lewis, Lilley, Loflin, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer,

Michaux, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Withrow, and Wood - 90.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Diamont, Fitch, R. Hunter, Kennedy, and Ligon - 6.

Committee Substitute for **H.B. 610**, A BILL TO BE ENTITLED AN ACT TO PROVIDE RESIDENCY DISTRICTS FOR ELECTION OF THE MARTIN COUNTY BOARD OF COMMISSIONERS, TO IMPLEMENT A CONSENT ORDER IN THE CASE OF DANIELS V. BOARD OF COMMISSIONERS OF MARTIN COUNTY.

Representative Rogers offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 617**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PAY DATE FOR EMPLOYEES OF THE CLEVELAND COUNTY SCHOOLS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 371**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE CHARGED BY THE SECRETARY OF STATE TO CERTIFY A DOCUMENT ON FILE IN THAT OFFICE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Grady, Green, Greenwood, Grimmer, Hackney, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kimsey, Lewis, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLaughlin, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 97.

Voting in the negative: Representative Hasty.

Excused absences: Representatives Abernethy, Diamont, Fitch, R. Hunter, Kennedy, and Ligon - 6.

S.B. 110, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE TAXES ON MOTOR FUELS, SPECIAL FUEL, AND MOTOR CARRIERS, AND TO TEMPORARILY RESTORE THE \$40,000 CAP ON BONDS THAT MAY BE REQUIRED OF FUEL DISTRIBUTORS AND SUPPLIERS.

Representative Jordan requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, Culp, Cunningham, Dawkins, Decker, DeVane, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Grady, Gray, Green, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Justus, Kahl, Kerr, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 101.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Diamont, Fitch, R. Hunter, Kennedy, and Ligon - 6.

Excused vote: Representative Jordan.

SPEAKER BLUE PRESIDING.

Committee Substitute for H.B. 300, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THERE SHALL BE NO INSURANCE POINTS ASSESSED FOR SPEEDING TEN MILES OR LESS OVER THE SPEED LIMIT FOR FIRST OFFENSE IN THREE YEARS WHERE SPEED LIMIT EXCEEDS FIFTY-FIVE MILES PER HOUR.

On motion of Representative Mercer, consideration of the bill is postponed until April 23.

House Committee Substitute for S.B. 209, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ISSUANCE OF FICTITIOUS DRIVERS LICENSES AND REGISTRATION PLATES AND TO CREATE A CONFIDENTIAL REGISTRATION FILE, passes its third reading, by electronic vote (98-0), and is ordered sent to the Senate for concurrence in House committee substitute.

H.B. 494, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE BUSINESS COMMUNITY TO FACILITATE STUDENT ACHIEVEMENT.

On motion of Representative Nesbitt, consideration of the bill is postponed until April 23.

DEAD LINE EXTENSION

On motion of Representative Jack Hunt, Rule 31.1(b) is suspended so that any bills subject to that rule which were submitted to the Bill Drafting Division by 4:00 p.m. on April 11, 1991, may be introduced until 3:00 p.m. on Tuesday, April 23, 1991.

CALENDAR (continued)

Committee Substitute for **H.B. 25**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ESTABLISH A COMMUNITY SERVICE PROGRAM; AND TO REQUIRE THAT COMMUNITY SERVICE SHALL BE PERFORMED IN EXCHANGE FOR REMITTED FINES.

On motion of Representative Jones, consideration of the bill is postponed until April 22.

H.B. 305, A BILL TO BE ENTITLED AN ACT TO REVISE THE ESSENTIAL ELEMENTS REQUIRED TO PROVE ARMED ROBBERY.

On motion of Representative Balmer, consideration of the bill is postponed until April 19.

H.B. 462, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DEPARTMENT OF REVENUE EMPLOYEES TO SERVE CIVIL SUMMONSES AND OTHER CIVIL PAPERS AND TO EXECUTE SEARCH WARRANTS.

On motion of Representative Pope, Committee Amendment No. 1 is adopted.

On motion of Representative Miller, the rules are suspended in order to offer an amendment, which changes the title.

Representative Miller offers Amendment No. 2 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 547, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PAYMENT OF EXCESS DAMAGES AGAINST A STATE EMPLOYEE FOR COLLECTING OR ADMINISTERING AN UNCONSTITUTIONAL TAX, passes its second reading, by electronic vote (103-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 306**, A BILL TO BE ENTITLED AN ACT TO ALLOW AN ADDITIONAL 180-DAY PERIOD FOR

DEPLOYED ARMED FORCES PERSONNEL AND SUPPORT PERSONNEL TO FILE STATE TAX RETURNS AND TO CONFORM THE STATE INCOME TAX ABATEMENT PROVISIONS CONCERNING MILITARY PERSONNEL TO FEDERAL LAW, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 58, A BILL TO BE ENTITLED AN ACT TO DESIGNATE DECEMBER SEVENTH AS PEARL HARBOR REMEMBRANCE DAY, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 289, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN CONVEYANCES WHERE SEALS WERE OMITTED OR NOTARY WAS NOT QUALIFIED, CERTAIN NOTICES TO CREDITORS OF DECEDENTS WHERE THE DEADLINE FOR SUBMITTING CLAIMS WAS OMITTED, AND CERTAIN FORECLOSURE SALES, passes its second reading, by electronic vote (102-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 303, A BILL TO BE ENTITLED AN ACT TO ALLOW MORE THAN ONE POSTPONEMENT OF FORECLOSURE SALES WITHIN THE NINETY-DAY POSTPONEMENT PERIOD, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 534, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE VICTIMS COMPENSATION ACT.

On motion of Representative J. W. Crawford, consideration of the bill is postponed until April 22.

S.B. 243, A BILL TO BE ENTITLED AN ACT TO MAKE APPOINTMENTS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H.B. 505, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING RESPITE CARE, passes its second reading by electronic vote (100-1).

Representative Nye objects to the third reading. The bill remains on the Calendar.

GUESTS

Representative Miller is recognized and requests the Speaker grant permission for Representatives Michaux, Luebke, N. J. Crawford,

Bowman, Pope, Fussell, Jordan, and himself to escort the Duke University men's basketball team, winners of the 1991 National Collegiate Association, (NCAA), Division I Championship by defeating the University of Kansas with a score of 72-65 to the front of House Chamber.

The Speaker places **H.J.R. 914, A JOINT RESOLUTION HONORING DUKE UNIVERSITY ON WINNING THE NCAA DIVISION I MEN'S BASKETBALL CHAMPIONSHIP**, on the Calendar for immediate consideration.

Representative Miller is recognized and is granted permission to approach the Well of the House and is directed to read House Joint Resolution 914 in its entirety.

H.J.R. 914, A JOINT RESOLUTION HONORING DUKE UNIVERSITY ON WINNING THE NCAA DIVISION I MEN'S BASKETBALL CHAMPIONSHIP, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

Representative Miller introduces Coach Mike Krzyzewski who is granted permission to approach the Well of the House. Coach Krzyzewski makes brief remarks, emphasizing the importance of pushing education for all of North Carolina's youths.

Coach Krzyzewski introduces the following staff and members of the team: assistant coaches, Mike Brey, Tommy Amaker, Pete Gaudet, and Jay Bilas; team members, Christian Ast, Kenny Blakeney, Clay Buckley, Marty Clark, Brian Davis, Grant Hill, Thomas Hill, Bobby Hurley, Greg Koubek, Christian Laettner, Antonio Lang, and Crawford Palmer; trainer, Max Crowder; and senior managers, Ivan Jones and Peter Lowder; and Mrs. Krzyzewski.

The Speaker announces that the Secretary of State shall send certified copies of the Resolution to Duke University President H. Keith Brodie, Athletic Director Tom Butters and all of the individuals honored.

CALENDAR (continued)

S.B. 102, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE DEPARTMENT OF HUMAN RESOURCES REPORT CHANGES IN DOMICILIARY HOME REGULATING, LICENSING, AND MONITORING TO THE NORTH CAROLINA STUDY COMMISSION ON AGING, passes its second reading, by electronic vote (98-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H.B. 182, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE NORTH CAROLINA HOUSING FINANCE AGENCY TO EXPAND ITS USE OF THE MULTIFAMILY RENTAL ASSISTANCE FUND TO AID IN THE PREVENTION OF HOMELESSNESS, passes its second reading, by electronic vote (95-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 211, A BILL TO BE ENTITLED AN ACT TO ALLOW DEMOLITION OF DWELLINGS UNDER G.S. 160A-443 FOLLOWING AN ORDER OF THE PUBLIC OFFICER.

On motion of Representative Oldham, consideration of the bill is postponed until April 25.

H.B. 52, A BILL TO BE ENTITLED AN ACT TO REGULATE FOREIGN CREDIT UNIONS, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 277, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE COMMISSIONER OF BANKS UNDER THE CONSUMER FINANCE ACT, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Stamey, seconded by Representative Smith, the House adjourns, by electronic vote (96-3), at 3:34 p.m. to reconvene April 19 at 10:00 a.m.

FORTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Friday, April 19, 1991

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of April 18 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (84-0).

Leaves of absence are granted Representatives Abernethy, Albertson, Barnes, Beall, Brubaker, Chapin, Dawkins, Diamont, Fitch, Fletcher, Grady, Grimmer, Howard, Rhodes, Stewart, and Wicker for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 413, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM CIVIL PENALTY WHICH MAY BE ASSESSED

FOR VIOLATIONS OF AIR QUALITY STANDARDS OR LIMITATIONS AND TO CORRECT A CROSS-REFERENCE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 23. The original bill is placed on the Unfavorable Calendar.

H.B. 424, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A FEE FOR COMPANION ANIMAL CERTIFICATES OF EXAMINATION, with a favorable report.

H.B. 468, A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERMIT TO SELL BEES AND TO AUTHORIZE THE COMMISSIONER OF AGRICULTURE TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF THE BEE AND HONEY ACT, with a favorable report, as amended.

H.B. 635, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF RALEIGH TO LEVY A MOTOR VEHICLE TAX NOT TO EXCEED FIFTEEN DOLLARS, with a favorable report, as amended.

H.B. 688, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MARTIN COUNTY TO LEVY A ROOM OCCUPANCY AND TRAVEL AND TOURISM TAX, with a favorable report.

H.B. 762, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITIES OF HIGH POINT AND GREENSBORO TO ENACT ROOM OCCUPANCY TAXES IF THE GUILFORD COUNTY OCCUPANCY TAX IS REPEALED, with a favorable report.

H.B. 775, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALLEGHANY COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report, as amended.

H.B. 808, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ASHE COUNTY TO LEVY A ROOM OCCUPANCY TAX, with a favorable report.

By Representative Michaux for the Committee on Courts, Justice, Constitutional Amendments and Referenda:

H.B. 87, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO SHIFT THE ELECTION OF THE GOVERNOR AND OTHER COUNCIL OF STATE MEMBERS TO NONPRESIDENTIAL EVEN-NUMBERED YEARS, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Beard, Barbee, Bowie, Brawley, and Michaux:

H.B. 918, A BILL TO BE ENTITLED AN ACT THAT CLARIFIES THAT SECRETARIES AND OTHER CLERICAL ASSISTANTS DO

NOT HAVE TO BE LICENSED AS INSURANCE AGENTS TO SELL INSURANCE UNDER THE SUPERVISION OF RESIDENT LICENSED INSURANCE AGENTS AND BROKERS, is referred to the Committee on Commerce.

By Representatives Beard, Hurley, Jeralds, McAllister, and Warner:

H.J.R. 919, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WILSON FRANKLIN YARBOROUGH, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Grimmer:

H.B. 920, A BILL TO BE ENTITLED AN ACT TO ALLOW PLATS OF REAL ESTATE DEVELOPMENTS TO BE PRESENTED TO THE REGISTER OF DEEDS FOR REGISTRATION OR RECORD BEFORE ALL CORNERS IN THE DEVELOPMENT ARE PERMANENTLY MARKED, is referred to the Committee on Judiciary III.

By Representatives Rhodes, Bowie, Bowman, Brawley, Brown, Buchanan, Creech, Dickson, Dockham, Fitch, Fletcher, Gardner, Grady, Grimmer, Hege, Howard, Sam Hunt, H. Hunter, Jones, Justus, Kahl, Kerr, Kimsey, Ligon, Luebke, Mercer, Privette, Rhyne, Russell, Stewart, Thompson, Wilson, and Wood:

H.B. 921, A BILL TO BE ENTITLED AN ACT TO PHASE IN THE REQUIREMENT THAT NONRESIDENTS AT THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA PAY THE FULL COST OF THEIR EDUCATION, is referred to the Committee on Appropriations.

By Representative Fletcher:

H.B. 922, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A MOTOR VEHICLE LIABILITY POLICY SHALL REQUIRE THAT THE LIENHOLDER BE NOTIFIED OF SETTLEMENT OF AN INSURED'S PROPERTY CLAIMS, is referred to the Committee on Judiciary III.

By Representatives Warner, Barnhill, Beard, Bowman, DeVane, Dockham, Gardner, Gist, Gottovi, Gray, Hege, Hightower, Hurley, Jeralds, Jones, Lineberry, Luebke, McAllister, Nesbitt, and Privette:

H.B. 923, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCEDURES GOVERNING THE SELECTION OF NOMINEES FOR ELECTION TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND THE TIME FOR HOLDING THE ELECTION, is referred to the Committee on Education.

By Representatives Judy Hunt, Colton, and H. Hunter:

H.B. 924, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ISSUANCE OF A PERMIT TO EMIT AIR CONTAMINANTS UNTIL EACH LOCAL GOVERNMENT HAVING JURISDICTION STATES THAT THE PROPOSED FACILITY IS CONSISTENT

WITH LOCAL LAND-USE PLANS IF IT HAS SUCH A PLAN, is referred to the Committee on Environment.

By Representative Buchanan:

H.B. 925, A BILL TO BE ENTITLED AN ACT TO PROVIDE A GRACE PERIOD FOR PLUMBING AND HEATING CONTRACTORS ELIGIBLE TO OBTAIN A LICENSE WITHOUT EXAMINATION, is referred to the Committee on Economic Expansion.

By Representative Holt:

H.B. 926, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PROMOTER AND TICKET SALES AGENT MAY AGREE TO CHARGE A REASONABLE SERVICE FEE THAT EXCEEDS THREE DOLLARS, is referred to the Committee on Judiciary I.

By Representatives Holt and Colton:

H.B. 927, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE PROTECTION GIVEN ARCHAEOLOGICAL RESOURCES, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Holt:

H.B. 928, A BILL TO BE ENTITLED AN ACT TO ELIMINATE BOND IN ACTIONS WHERE THE STATE OR A COUNTY IS THE PLAINTIFF, is referred to the Committee on Judiciary I.

By Representative Kennedy:

H.B. 929, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE LAW, is referred to the Committee on Judiciary I.

By Representatives Kennedy, Barnes, Colton, Easterling, Gottovi, Green, Hardaway, Holt, Judy Hunt, Jarrell, Jeffus, Luebke, McAllister, Oldham, Stamey, and Wainwright:

H.B. 930, A BILL TO BE ENTITLED AN ACT TO ENTITLE EMPLOYEES TO PARENTAL LEAVE UPON THE BIRTH OR ADOPTION OF A CHILD, is referred to the Committee on Judiciary I.

By Representatives Kimsey, Anderson, Balmer, Bowie, Brawley, Brown, Brubaker, Buchanan, Chapin, Creech, Culp, Grady, Grimmer, Howard, Justus, Ligon, Loflin, McLawhorn, Mercer, Pope, Privette, and Smith:

H.B. 931, A BILL TO BE ENTITLED AN ACT TO REQUIRE GOVERNMENTAL COMPENSATIONS FOR PROPERTY RIGHTS INFRINGEMENT, TO ESTABLISH INVERSE CONDEMNATION PROCEDURES, AND TO PROVIDE FOR REGULATORY ROLL-BACK PROCEDURES, is referred to the Committee on Judiciary I.

By Representatives Hurley, Albertson, Barbee, Beard, Bowie, Colton, Hasty, Jeralds, Jones, Justus, Kerr, McAllister, McLaughlin, Mercer, Rhodes, Rogers, Stewart, and Warner:

H.B. 932, A BILL TO BE ENTITLED AN ACT TO ADOPT THE CAROLINA TARTAN AS THE OFFICIAL SCOTTISH TARTAN OF

THE STATE OF NORTH CAROLINA, is referred to the Committee on State Government.

By Representatives Howard, Brawley, Brown, Culp, Dockham, Gardner, Isenhower, Ligon, Privette, and Russell:

H.B. 933, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SALES TAX EXEMPTION FOR PRISON CONCESSION SALES, is referred to the Committee on Finance.

By Representatives Pope, Jones, Justus, and Miller:

H.B. 934, A BILL TO BE ENTITLED AN ACT TO OPEN BALLOT ACCESS FOR CANDIDATES OF NEW POLITICAL PARTIES AND INDEPENDENTS, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representative Wicker:

H.B. 935, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CLAIMS REVIEW PANEL FOR CIVIL ACTIONS INVOLVING ARCHITECTURAL SERVICES, is referred to the Committee on Judiciary I.

By Representatives Justus, Bowie, Bowman, Greenwood, H. Hunter, Hurley, Jones, Kerr, Kimsey, Ligon, Rhodes, Smith, Stewart, Thompson, Warner, and Wilson:

H.B. 936, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR NOTIFICATION TO A DEFENDANT THAT HIS PROBATION PERIOD MAY BE EXTENDED FOR UP TO THREE YEARS IF RESTITUTION IS NOT COMPLETED, is referred to the Committee on Judiciary I.

By Representatives Wood and Miller:

H.B. 937, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A SCHOOLS OF CHOICE PROGRAM IN COUNTIES WITH A POPULATION OF MORE THAN 300,000 PEOPLE AND IN WHICH THERE IS MORE THAN ONE LOCAL SCHOOL ADMINISTRATIVE UNIT, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Rogers, Albertson, Anderson, Barnes, Beall, Beard, Bowman, Chapin, Church, J. W. Crawford, Creech, Dial, Diamont, Dickson, Fitch, Gamble, Gardner, Green, Hardaway, Hasty, Hightower, Holt, Howard, Judy Hunt, H. Hunter, Hurley, James, Jeffus, Jeralds, Jones, McAllister, McLawhorn, Mercer, Oldham, Payne, Ramsey, Stewart, Thompson, Wainwright, Warner, Wicker, Wilmoth, and Woodard:

H.B. 938, A BILL TO BE ENTITLED AN ACT TO PROVIDE EQUALIZATION FUNDS FOR THE PUBLIC SCHOOLS, is referred to the Committee on Education.

By Representative Miller:

H.B. 939, A BILL TO BE ENTITLED AN ACT TO MAKE IT CLEAR THAT A MEDIATION OR OTHER DISPUTE SETTLE-

MENT CENTER IS NOT A COLLECTION AGENCY AND THEREFORE NOT SUBJECT TO REGULATION PURSUANT TO ARTICLE 9C OF CHAPTER 66 OF THE GENERAL STATUTES, is referred to the Committee on Judiciary II.

By Representative Miller:

H.B. 940, A BILL TO BE ENTITLED AN ACT TO ALLOW A JUDGE, IN ACTIONS WHERE THE DAMAGE AWARD THAT THE JURY RETURNS IS DOUBLED OR TREBLED, TO, IN HIS DISCRETION, CHARGE OR INSTRUCT THE JURY ACCORDINGLY, is referred to the Committee on Judiciary II.

By Representative Miller:

H.B. 941, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA RULES OF CIVIL PROCEDURE TO PROVIDE THAT NOTICE OF THE MANNER OF SERVICE OF PROCESS SHALL BE FILED WHEN SERVICE IS MADE OTHER THAN BY PERSONAL DELIVERY, is referred to the Committee on Judiciary II.

By Representative Hensley:

H.B. 942, A BILL TO BE ENTITLED AN ACT TO PROVIDE PRIORITY CONSIDERATION TO STATE EMPLOYEES WHO RECEIVE REDUCTION IN FORCE NOTIFICATION, is referred to the Committee on Public Employees.

By Representatives Hensley, Luebke, and Stamey:

H.B. 943, A BILL TO BE ENTITLED AN ACT TO ALLOW STATE EMPLOYEES RETIREMENT SERVICE CREDIT FOR ACCUMULATED VACATION IN EXCESS OF THIRTY DAYS, is referred to the Committee on Public Employees.

By Representative Hensley:

H.B. 944, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 1-288 REGARDING THE TIME FOR TAKING APPEAL IN FORMA PAUPERIS IN ORDER TO CONFORM THIS STATUTE TO THE RULES OF APPELLATE PROCEDURE, is referred to the Committee on Judiciary III.

By Representatives Hensley and Flaherty:

H.B. 945, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROVIDING FOR UNIFORM JAIL FEES, is referred to the Committee on Finance.

By Representative Hensley:

H.B. 946, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR HOMEOWNER AND CONDOMINIUM ASSOCIATION LIENS, is referred to the Committee on Judiciary III.

By Representatives Hensley, Anderson, Balmer, Buchanan, Flaherty, Fussell, Gottovi, Grady, Hackney, H. Hunter, Justus, Miller, Smith, Stamey, and Wilson:

H.B. 947, A BILL TO BE ENTITLED AN ACT TO ALLOW LAW ENFORCEMENT OFFICERS WHO ARE MEMBERS OF THE

TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OR THE LOCAL GOVERNMENT EMPLOYEES' RETIREMENT SYSTEM TO RETIRE WITH UNREDUCED BENEFITS AFTER COMPLETING TWENTY-FIVE YEARS OF SERVICE, is referred to the Committee on Pensions and Retirement.

By Representative Rhyne:

H.J.R. 948, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Rhyne, Bowman, Russell, and Wilson:

H.B. 949, A BILL TO BE ENTITLED AN ACT TO PROVIDE PROCEDURES REQUIRED TO PROTECT THE PRIVACY OF CHILDREN REQUIRED TO TESTIFY, is referred to the Committee on Judiciary I.

By Representative Rhyne:

H.B. 950, A BILL TO BE ENTITLED AN ACT CONCERNING JURY INSTRUCTIONS ON LIFE SENTENCES IN CAPITAL CASES, is referred to the Committee on Judiciary I.

By Representatives Mercer and Colton:

H.B. 951, A BILL TO BE ENTITLED AN ACT TO REQUIRE A LANDLORD TO NOTIFY THE COUNTY DEPARTMENT OF SOCIAL SERVICES BEFORE FILING AN ACTION FOR SUMMARY EJECTMENT, is referred to the Committee on Human Resources.

By Representatives Hackney and Colton:

H.B. 952, A BILL TO BE ENTITLED AN ACT TO BRING CERTAIN SEASONAL FARM WORKERS OF CERTAIN FARM OWNERS, FARM OPERATORS, AND AGRICULTURAL ESTABLISHMENTS WITHIN THE PURVIEW OF THE WORKERS' COMPENSATION ACT, is referred to the Committee on Judiciary I.

By Representatives Gardner and H. Hunter:

H.B. 953, A BILL TO BE ENTITLED AN ACT TO EXEMPT AREA MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE AUTHORITIES FROM CERTAIN PROVISIONS OF THE STATE PERSONNEL ACT, is referred to the Committee on Public Employees.

By Representatives McLaughlin, Abernethy, Balmer, Barbee, Barnhill, Black, Bowman, Buchanan, N. J. Crawford, Cunningham, Easterling, Esposito, Flaherty, Foster, Grimmer, Loflin, Privette, and Rhodes:

H.B. 954, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT STATE SUBSIDIES SHALL BE PAID TO COUNTY-OPERATED DETENTION HOMES FOR THE CARE OF CHILDREN FROM WITHIN THE COUNTY AS WELL AS FOR THE CARE OF

CHILDREN FROM ANOTHER COUNTY, is referred to the Committee on Appropriations.

By Representative Dawkins:

H.B. 955, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSUMER FINANCE ACT TO MODIFY THE RATES AND FEES ALLOWED TO BE CHARGED, TO GRANT AUTHORITY TO WRITE INSURANCE IN THE SAME PLACE OF BUSINESS, AND TO ALLOW THE TAKING OF SECOND MORTGAGES ON REAL PROPERTY, is referred to the Committee on Commerce.

By Representatives Jeralds, Barnes, Barnhill, Beall, Bowie, Colton, N. J. Crawford, Cunningham, Dial, Diamont, Easterling, Fitch, Fussell, Gamble, Gist, Green, Greenwood, Hensley, Holt, Judy Hunt, Jeffus, Jones, Kennedy, Luebke, Michaux, Oldham, Stamey, and Withrow:

H.B. 956, A BILL TO BE ENTITLED AN ACT TO BAN CORPORAL PUNISHMENT IN DAY CARE, is referred to the Committee on Human Resources.

By Representatives Fitch and H. Hunter:

H.B. 957, A BILL TO BE ENTITLED AN ACT TO CORRECT INEQUITIES IN THE SALARIES OF EQUALLY QUALIFIED MINORITIES, FEMALES, AND WHITE MALES WITHIN OCCUPATIONAL CATEGORIES IN STATE EMPLOYMENT, is referred to the Committee on Public Employees.

By Representatives Fitch and H. Hunter:

H.B. 958, A BILL TO BE ENTITLED AN ACT TO INCREASE THE NUMBER OF MEMBERS OF THE STATE PERSONNEL COMMISSION, is referred to the Committee on State Government.

By Representatives Fitch and H. Hunter:

H.B. 959, A BILL TO BE ENTITLED AN ACT CONCERNING REQUIRED TRAINING OF SUPERVISORS EMPLOYED BY THE STATE WITHIN THE FIRST YEAR OF APPOINTMENT OR PROMOTION, is referred to the Committee on Public Employees:

By Representatives Redwine, Colton, Gottovi, and Luebke:

H.B. 960, A BILL TO BE ENTITLED AN ACT TO PHASE IN THE USE OF REUSABLE HAND TOWELS IN STATE OFFICES THROUGHOUT THE STATE BY JANUARY 1, 1994, is referred to the Committee on Environment.

By Representatives Redwine, Colton, Gottovi, and Luebke:

H.B. 961, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISTRIBUTION, SALE, AND OFFERING FOR SALE OF PLASTIC CONTAINERS PRODUCED FROM POLYVINYL CHLORIDE, is referred to the Committee on Environment.

By Representatives Redwine, Colton, Gottovi, and Luebke:

H.B. 962, A BILL TO BE ENTITLED AN ACT TO PROHIBIT CERTAIN ACTS REGARDING PAINTS AND SOLVENTS, is referred to the Committee on Environment.

By Representative Redwine:

H.B. 963, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE AUTHORITY OF LOCAL BOARDS TO REVISE RESIDENCY DISTRICTS, is referred to the Committee on Legislative and Local Redistricting.

By Representative Redwine:

H.B. 964, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT, WHEN MUNICIPALITIES USE THE NONPARTISAN-PRIMARY-AND-ELECTION METHOD, NO VOTER MAY CAST MORE VOTES THAN THERE ARE POSITIONS TO BE FILLED, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representative Redwine:

H.B. 965, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADVANCEMENT OF FUNDS FOR REVENUE BOND PROJECTS BY POLITICAL SUBDIVISIONS TO THEIR CONSTITUTED AUTHORITIES; TO AUTHORIZE THE REPAYMENT OF SUCH ADVANCES FROM REVENUE BOND PROCEEDS; AND TO PROVIDE FOR THE APPOINTMENT OF COUNTY AND CITY OFFICIALS TO GOVERNING BOARDS OF AUTHORITIES, is referred to the Committee on Finance.

By Representative Loflin:

H.B. 966, A BILL TO BE ENTITLED AN ACT TO ALLOW DISSOLUTION OF SANITARY DISTRICTS FOR WHICH NO DISTRICT BOARD MEMBERS HAVE BEEN ELECTED FOR EIGHT YEARS, is referred to the Committee on Judiciary III.

By Representatives Diamont and Wilmoth:

H.B. 967, A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA TO BECOME MEMBERS OF A JOINT MUNICIPAL ASSISTANCE AGENCY AND TO PERMIT ASSOCIATE MEMBERSHIPS TO SUCH AGENCY, is referred to the Committee on Public Utilities.

By Representatives Diamont, Bowman, Justus and Rogers:

H.B. 968, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE TRAINING AND CERTIFICATION STANDARDS FOR SCHOOL PRINCIPALS AND TO REQUIRE TRAINING OF SCHOOL BOARD MEMBERS, is referred to the Committee on Education.

By Representatives Gardner, Bowman, Justus, and Russell:

H.B. 969, A BILL TO BE ENTITLED AN ACT TO REQUIRE HIGH SCHOOL AGE CHILDREN TO PASS IN HIGH SCHOOL TO BE ELIGIBLE FOR DRIVERS LICENSES, is referred to the Committee on Education.

By Representatives Gamble and Green:

H.B. 970, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT FOR PHYSICIANS TO OBTAIN A PHARMACY PERMIT, is referred to the Committee on Human Resources.

By Representatives Gamble and Green:

H.B. 971, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT PRESCRIPTION DRUG LABELS CONTAIN THE EXPIRATION DATE OF THE MEDICATION, is referred to the Committee on Human Resources.

By Representatives Gamble and Green:

H.B. 972, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROVISIONS REGULATING "PREFERRED PROVIDERS", is referred to the Committee on Commerce.

By Representative Anderson:

H.B. 973, A BILL TO BE ENTITLED AN ACT TO AFFECT THE INSURANCE LAWS OF THIS STATE, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Anderson, Bowman, and Justus:

H.B. 974, A BILL TO BE ENTITLED AN ACT TO PROTECT PURCHASERS AND DISCOURAGE FRAUD BY PROHIBITING A PERSON FROM REQUESTING OR RECORDING, AS A CONDITION OF ACCEPTING A CHECK, A CREDIT CARD NUMBER OR ANY OTHER PERSONAL IDENTIFICATION INFORMATION ON A CHECK OR OTHER DRAFT, is referred to the Committee on Economic Expansion.

By Representatives Anderson and Justus:

H.B. 975, A BILL TO BE ENTITLED AN ACT TO PREVENT THE RECORDATION OF PERSONAL IDENTIFICATION INFORMATION ON CREDIT CARD TRANSACTION FORMS, is referred to the Committee on Economic Expansion.

By Representatives Anderson and Bowman:

H.B. 976, A BILL TO BE ENTITLED AN ACT TO PROTECT FEDERAL OFFICERS AGAINST CIVIL LIABILITY WHEN ASSISTING STATE OR LOCAL LAW ENFORCEMENT OFFICERS, is referred to the Committee on Judiciary III.

By Representative Anderson:

H.B. 977, A BILL TO BE ENTITLED AN ACT TO CREATE A COMMISSION TO STUDY THE CUMULATIVE IMPACTS OF

LEGISLATION AND REGULATION ON PRIVATE PROPERTY RIGHTS IN THIS STATE, is referred to the Committee on Rules, and Appointments and Calendar.

By Representative Anderson:

H.B. 978, A BILL TO BE ENTITLED AN ACT TO PROTECT AGRICULTURAL OPERATIONS FROM NUISANCE SUITS UNDER CERTAIN CIRCUMSTANCES, is referred to the Committee on Agriculture.

By Representative Anderson:

H.B. 979, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BUREAU OF INVESTIGATION TO INVESTIGATE CRIMES INVOLVING MISCONDUCT IN PUBLIC OFFICE, is referred to the Committee on Judiciary III.

By Representative Anderson and Justus:

H.B. 980, A BILL TO BE ENTITLED AN ACT TO RENAME THE DIVISION OF CRIMINAL STATISTICS AND TO AUTHORIZE IT TO PROVIDE CRIMINAL RECORD CHECKS TO EMPLOYEES WHO PROVIDE DIRECT CAREGIVING SERVICES TO THE PUBLIC, is referred to the Committee on Judiciary III.

By Representatives Judy Hunt and Colton:

H.B. 981, A BILL TO BE ENTITLED AN ACT TO INCREASE LOCAL INVOLVEMENT IN THE DECISION TO ISSUE A PERMIT TO EMIT AIR CONTAMINANTS, is referred to the Committee on Environment.

By Representative Black:

H.B. 982, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS TO LIMIT THE PROXIMITY OF FAMILY CARE HOMES HOUSING WILLIE M. CLIENTS, is referred to the Committee on Judiciary I.

By Representatives Chapin and Bowman:

H.B. 983, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT RULES TO STRENGTHEN THE CONTINUING AND COOPERATIVE RELATIONSHIP BETWEEN SCHOOLS OF EDUCATION AND PUBLIC SCHOOLS, is referred to the Committee on Education.

By Representatives Payne, Flaherty, and Luebke:

H.B. 984, A BILL TO BE ENTITLED AN ACT TO ADOPT A COMPARATIVE FAULT SYSTEM, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Payne and Gottovi:

H.B. 985, A BILL TO BE ENTITLED AN ACT TO CLARIFY A CITY'S AUTHORITY TO REQUIRE PARTICIPATION IN ANY

COLLECTION AND DISPOSAL SERVICES PROVIDED BY THE CITY, is referred to the Committee on Judiciary II.

By Representatives Payne, Gottovi, and H. Hunter:

H.B. 986, A BILL TO BE ENTITLED AN ACT TO EXEMPT PUBLIC SCHOOL BUSES FROM THE HIGHWAY USE TAX, is referred to the Committee on Finance.

By Representatives Flaherty and Justus:

H.B. 987, A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERSON TO BE CONVICTED DURING THE PERIOD OF DRIVERS LICENSE SUSPENSION FOR AN ACT COMMITTED DURING THAT PERIOD BEFORE THAT PERIOD MAY BE LENGTHENED, is referred to the Committee on Judiciary III.

By Representative Morgan:

H.B. 988, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DEPARTMENT OF TRANSPORTATION FROM PROCEEDING WITH ANY CONSTRUCTION PROJECT IN AREAS CONTAINING HABITATS OF THE RED-COCKADED WOODPECKER, is referred to the Committee on Transportation.

By Representative Morgan:

H.B. 989, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SEPARATE PERMIT FOR HOTELS CHOOSING TO OFFER ALCOHOLIC BEVERAGE SALES FROM LOCKED CABINETS IN GUEST ROOMS, is referred to the Committee on Finance.

By Representatives Hardaway and H. Hunter:

H.B. 990, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT THAT SOIL AND WATER CONSERVATION DISTRICTS OBTAIN ANNUAL INDEPENDENT AUDITS, is referred to the Committee on Environment.

By Representative Hardaway:

H.B. 991, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIAL RULES FOR INTERNATIONAL COMMERCIAL ARBITRATIONS, is referred to the Committee on Judiciary I.

By Representative Lineberry:

H.B. 992, A BILL TO BE ENTITLED AN ACT TO EXPLICITLY AUTHORIZE PREQUALIFICATION OF BIDDERS FOR PUBLIC CONTRACTS, is referred to the Committee on State Government.

By Representatives Mavretic and Bowman:

H.B. 993, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE MEMBERSHIP OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, is referred to the Committee on Education.

By Representatives Dickson, Beard, Creech, Fussell, Gamble, Hurley, Jordan, Pope, Rhyne, Stamey, Warner, and Woodard:

H.B. 994, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE PROJECT GENESIS PROGRAM, AN EXPERIMENT WITH A RESTRUCTURED SCHOOL APPROACH FOR THE PUBLIC SCHOOLS, is referred to the Committee on Education.

By Representatives Wainwright, Cunningham, Fitch, Hensley, H. Hunter, Kahl, Luebke, McAllister, and Michaux.

H.B. 995, A BILL TO BE ENTITLED AN ACT TO REGULATE CERTAIN EMPLOYMENT AGENCIES EXEMPTED FROM CURRENT REGULATION, is referred to the Committee on Economic Expansion.

By Representatives Nye and Easterling:

H.B. 996, A BILL TO BE ENTITLED AN ACT TO COORDINATE THE EFFECTIVE DATE OF CHANGED STATE MEDICAID REIMBURSEMENT AMOUNTS WITH THE DATE FOR WHICH THE CHANGE IS APPROVED BY FEDERAL ADMINISTRATION, is referred to the Committee on Appropriations.

By Representative Nye:

H.B. 997, A BILL TO BE ENTITLED AN ACT TO ESTABLISH PEER REVIEW FOR OPTOMETRISTS, TO ESTABLISH AN OPTOMETRIST PRIVILEGE, is referred to the Committee on Human Resources.

By Representatives Justus, Ligon, Rhodes, and Rhyne:

H.B. 998, A BILL TO BE ENTITLED AN ACT GRANTING ENFORCEMENT INSPECTORS AND OFFICERS OF THE DIVISION OF MOTOR VEHICLES THE AUTHORITY TO ASSIST IN THE ENFORCEMENT OF LAWS WHEN A CRIME HAS BEEN COMMITTED IN THEIR PRESENCE OR WHEN A STATE OR LOCAL LAW ENFORCEMENT AGENCY HAS REQUESTED THEIR ASSISTANCE, is referred to the Committee on Justice I.

By Representatives Holt, Anderson, Colton, Fitch, Judy Hunt, Justus, Kerr, McLawhorn, Russell, and Wainwright:

H.B. 999, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A MEMBER OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE TIME LOST DUE TO INTERRUPTED SERVICE FOR MATERNITY LEAVE, is referred to the Committee on Pensions and Retirement.

By Representatives Holt and Colton:

H.B. 1000, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA COMMUNITY TRUST FOR PERSONS WITH SEVERE CHRONIC DISABILITIES, is referred to the Committee on Judiciary I.

By Representatives Grimmer, Flaherty, Gottovi, and Justus:

H.B. 1001, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADOPT-A-BEACH PROGRAM IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, is referred to the Committee on Environment.

By Representative Brawley:

H.B. 1002, A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PROVISIONS CONTAINED IN THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, is referred to the Committee on Judiciary II.

By Representatives Jones, Bowman, Flaherty, Russell, and Wilson:

H.B. 1003, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DEFENDANT, AFTER A FINDING OF PROBABLE CAUSE OR INDICTMENT FOR COMMITTING A NONCONSENSUAL SEX OFFENSE, SHALL BE TESTED FOR AIDS UPON THE REQUEST OF THE VICTIM, is referred to the Committee on Judiciary II.

By Representatives Redwine, Colton, and N. J. Crawford:

H.B. 1004, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE LAND RECORDS MANAGEMENT PROGRAM FROM THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO THE DEPARTMENT OF THE SECRETARY OF STATE, is referred to the Committee on Judiciary II.

By Representatives Fitch and Colton:

H.B. 1005, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DEATH PENALTY FOR MENTALLY RETARDED PERSONS, is referred to the Committee on Judiciary I.

By Representatives Fitch and H. Hunter:

H.B. 1006, A BILL TO BE ENTITLED AN ACT TO MAINTAIN AND STRENGTHEN THE CURRENT ADMINISTRATION OF STATE GOVERNMENT'S EQUAL EMPLOYMENT OPPORTUNITY PROGRAM, is referred to the Committee on Public Employees.

By Representatives Gottovi, Barnes, Colton, Diamont, Ethridge, Gamble, Luebke, and McAllister:

H.B. 1007, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE RECYCLING AND DISCOURAGE LITTERING BY REQUIRING A DEPOSIT ON GLASS AND PLASTIC BEVERAGE CONTAINERS AND REQUIRING DEALERS AND REDEMPTION CENTERS TO ACCEPT RETURNED GLASS AND PLASTIC CONTAINERS AND REFUND THE DEPOSITS, is referred to the Committee on Environment.

By Representatives Gottovi, Bowie, N. J. Crawford, Culp, Easterling, Gist, Hensley, Luebke, McLaughlin, Payne, Redwine, and Stamey:

H.B. 1008, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE ENTIRE LENGTH OF INTERSTATE 40 AS A SCENIC

HIGHWAY AND MEMORIAL HIGHWAY, AND TO REGULATE OUTDOOR ADVERTISING ALONG THAT HIGHWAY, is referred to the Committee on Transportation.

By Representatives Sam Hunt, Brubaker, Decker, DeVane, Hardaway, Justus, Miller, Oldham, Robinson, and Wicker:

H.B. 1009, A BILL TO BE ENTITLED AN ACT TO PROVIDE JUST COMPENSATION PROCEDURES, is referred to the Committee on Judiciary III.

By Representatives Woodard and Bowman:

H.B. 1010, A BILL TO BE ENTITLED AN ACT TO LICENSE WHOLESALE DRUG DISTRIBUTORS, is referred to the Committee on Human Resources.

By Representatives Barnes, and Colton:

H.B. 1011, A BILL TO BE ENTITLED AN ACT TO AVOID UNNECESSARY EVICTIONS BY CLARIFYING AND MODERNIZING THE PROCEDURES FOR THE CURING OF DEFAULTS ON RENT, is referred to the Committee on Commerce.

By Representatives Barnes, and Colton:

H.B. 1012, A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PORTIONS OF LANDLORD AND TENANT LAW, is referred to the Committee on Commerce.

By Representatives Fitch, Barnhill, Beall, Black, Bowman, Buchanan, Colton, N. J. Crawford, Cunningham, Easterling, Flaherty, Gottovi, Greenwood, Hardaway, Hensley, Holt, H. Hunter, Jeffus, Jeralds, Jones, Justus, Luebke, Nesbitt, Oldham, Payne, Stamey, Warner, and Woodard:

H.B. 1013, A BILL TO BE ENTITLED AN ACT TO DEFINE THE LIMITS OF LOCAL GOVERNMENT EMPLOYEES' POLITICAL ACTIVITIES WHILE ON DUTY, is referred to the Committee on Public Employees.

By Representatives Fitch, Beall, N. J. Crawford, Greenwood, Hardaway, Hensley, H. Hunter, Justus, and Nesbitt:

H.B. 1014, A BILL TO BE ENTITLED AN ACT TO RESTORE THE TRADITIONAL CHRISTMAS HOLIDAY SCHEDULE TO STATE EMPLOYEES, is referred to the Committee on Public Employees.

By Representatives Hege and Howard:

H.B. 1015, A BILL TO BE ENTITLED AN ACT TO PHASE OUT CAREER STATUS FOR ALL SCHOOL EMPLOYEES EXCEPT FOR CLASSROOM TEACHERS, is referred to the Committee on Education.

By Representatives Hege, Dickson, Dockham, Gamble, Howard, Jack Hunt, Jones, Lewis, Loflin, and Rhyne:

H.B. 1016, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ISSUANCE OF BONDS FOR FINANCING GAS SYSTEMS OR FACILITIES, is referred to the Committee on Public Utilities.

By Representatives Kerr and Smith:

H.B. 1017, A BILL TO BE ENTITLED AN ACT TO PROVIDE SUBPOENA POWER TO ALL MUNICIPALITIES AND TO AUTHORIZE ISSUANCE OF STOP ORDERS FOR VIOLATIONS OF ZONING AND SUBDIVISION ORDINANCES, is referred to the Committee on Judiciary III.

By Representative Kerr:

H.B. 1018, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE JOINT MUNICIPAL POWER AGENCIES TO ENCUMBER PROPERTY FOR FINANCING PROJECTS, is referred to the Committee on Public Utilities.

By Representatives Luebke and Colton:

H.B. 1019, A BILL TO BE ENTITLED AN ACT TO EXPAND AMTRAK SERVICES IN NORTH CAROLINA, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Luebke and Colton:

H.B. 1020, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT LIGHTING IN NEW AND EXISTING STATE CONSTRUCTION BE ENERGY EFFICIENT AND COST EFFECTIVE, is referred to the Committee on Environment.

By Representatives Luebke, Colton, Gottovi, and H. Hunter:

H.J.R. 1021, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY WAYS TO PROMOTE THE CONSERVATION OF ENERGY AND THE USE OF RENEWABLE ENERGY SOURCES IN RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND PUBLIC FACILITIES IN NORTH CAROLINA, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Brubaker, Beall, Easterling, Ethridge, Fitch, Fletcher, Green, Hardaway, Hege, Holmes, H. Hunter, James, Jeralds, Jones, Luebke, Ramsey, Redwine, and Wainwright:

H.B. 1022, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA COMMUNITY REINVESTMENT ACT, is referred to the Committee on Commerce.

By Representatives Luebke and Michaux:

H.B. 1023, A BILL TO BE ENTITLED AN ACT TO EXPAND THE VOTER REGISTRATION SYSTEM, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Stamey, Bowman, Dawkins, Jarrell, and Mercer:

H.B. 1024, A BILL TO BE ENTITLED AN ACT TO AFFECT THE OPERATIONS OF RAILROADS IN NORTH CAROLINA AND TO REORGANIZE THE RAILROAD REGULATION FUNCTIONS OF

STATE GOVERNMENT, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Stamey and Payne:

H.B. 1025, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROVIDING MAPPING REQUIREMENTS FOR PLATS AND SUBDIVISIONS, is referred to the Committee on Judiciary I.

By Representative Payne:

H.B. 1026, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CONTRACT CANNOT REQUIRE PARTIES TO BRING AN ACTION OR ARBITRATION PROCEEDING THEREUNDER OUTSIDE THE STATE, is referred to the Committee on Judiciary II.

By Representative Payne:

H.B. 1027, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PAYMENT OF A CONTRACTOR IS NOT A CONDITION PRECEDENT FOR PAYMENT OF A SUBCONTRACTOR, is referred to the Committee on Judiciary II.

By Representative Payne (by request):

H.B. 1028, A BILL TO BE ENTITLED AN ACT TO PREVENT UNFAIR COMPETITION BY ELECTRIC POWER SUPPLIERS, is referred to the Committee on Economic Expansion.

By Representative Payne:

H.B. 1029, A BILL TO BE ENTITLED AN ACT TO AFFECT THE ALCOHOLIC BEVERAGE CONTROL STATUTES OF THIS STATE, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Fletcher:

H.B. 1030, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CHIMNEY SWEEP ACT, is referred to the Committee on State Government.

By Representative Payne (by request):

H.B. 1031, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CITIES AND COUNTIES SHALL NOT ADOPT ORDINANCES FOR THE CONTROL OF DANGEROUS DOGS THAT ARE SPECIFIC AS TO BREED, is referred to the Committee on Judiciary II.

By Representative Grady:

H.B. 1032, A BILL TO BE ENTITLED AN ACT TO VEST AUTHORITY IN THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO GRANT SHELLFISH CULTIVATION LEASES, is referred to the Committee on Environment.

By Representatives Grady, Brubaker, Flaherty, Jones, Russell, and Smith:

H.B. 1033, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH

RIGHTS FOR VICTIMS OF CRIME, is referred to the Committee on Judiciary II.

By Representatives Grady, H. Hunter, and Smith:

H.B. 1034, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NONPROFIT YOUTH ATHLETIC LEAGUE CONCESSION STANDS SHALL BE EXEMPT FROM SALES TAX, is referred to the Committee on Finance.

By Representative Grady:

H.B. 1035, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LIENS ON MANUFACTURED HOUSING, RECREATIONAL VEHICLES, AND CAMPER TRAILERS, is referred to the Committee on Judiciary II.

By Representatives Grady and Smith:

H.B. 1036, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING FACILITIES PAID FOR FROM WILLIE M. FUNDS THAT CAN NO LONGER BE USED FOR WILLIE M. PROGRAMS, is referred to the Committee on Appropriations.

By Representatives Hardaway, Anderson, Barbee, Barnes, Brawley, Colton, Cunningham, Ethridge, Fletcher, Gottovi, Green, Hensley, H. Hunter, Jeralds, Jones, Loflin, Luebke, Michaux, Oldham, Smith, Wicker, Wilmoth, and Wilson:

H.B. 1037, A BILL TO BE ENTITLED AN ACT TO REFORM THE SMALL EMPLOYER GROUP HEALTH INSURANCE MARKETPLACE IN THE STATE OF NORTH CAROLINA, is referred to the Committee on Commerce.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 284, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR CARRYING A WEAPON ON SCHOOL PREMISES, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 24**, A BILL TO BE ENTITLED AN ACT TO TO DENY ELIGIBILITY FOR OR REVOKE THE DRIVER'S LICENSE OF A DELINQUENT MINOR FOR ONE YEAR OR UNTIL AGE EIGHTEEN FOR ALCOHOL, DRUG, OR WEAPONS VIOLATIONS, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 344**, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE NORTH CAROLINA CLEAN WATER REVOLVING LOAN AND GRANT PROGRAM TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, is read the first time and referred to the Committee on Environment.

S.B. 414, A BILL TO BE ENTITLED AN ACT TO AMEND THE REVISED UNIFORM LIMITED PARTNERSHIP ACT, is read the first time and referred to the Committee on Judiciary II.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

S.J.R. 646, A JOINT RESOLUTION HONORING DUKE UNIVERSITY ON WINNING THE NCAA DIVISION I MEN'S BASKETBALL CHAMPIONSHIP, is read the first time.

On motion of Representative Jack Hunt, the rules are suspended and the resolution is placed on the Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote, (85-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Barnhill for the permanent Subcommittee on Health and Mental Health of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 168, A BILL TO BE ENTITLED AN ACT TO AMEND THE HOME HEALTH LICENSURE ACT, with a favorable report as to committee substitute bill, unfavorable as to original bill, which changes the title.

The committee substitute bill is placed on the Calendar for April 23. The original bill is placed on the Unfavorable Calendar.

CALENDAR

Action is taken on the following:

H.B. 61, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE REVENUE LAWS AND RELATED STATUTES.

On motion of Representative Lilley, the House concurs in the Senate amendment, by electronic vote (88-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 371**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE CHARGED BY THE SECRETARY OF STATE TO CERTIFY A DOCUMENT ON FILE IN THAT OFFICE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Anderson, Balmer, Barbee, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Church, J. W. Crawford, N. J. Crawford, Culp, Dial, Dickson, Dockham, Easterling, Esposito, Flaherty, Foster,

Fussell, Gardner, Gist, Gottovi, Gray, Green, Greenwood, Hackney, Hardaway, Hasty, Hege, Hensley, Holmes, Holt, Huffman, Jack Hunt, Judy Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 87.

Voting in the negative: Representatives Creech, Decker, and Ligon - 3.

Excused absences: Representatives Abernethy, Albertson, Barnes, Beall, Brubaker, Chapin, Dawkins, Diamont, Ethridge, Fitch, Fletcher, Grady, Grimmer, Howard, R. Hunter, Jeralds, Rhodes, Stewart, and Wicker - 19.

S.B. 110, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE TAXES ON MOTOR FUELS, SPECIAL FUEL, AND MOTOR CARRIERS, AND TO TEMPORARILY RESTORE THE \$40,000 CAP ON BONDS THAT MAY BE REQUIRED OF FUEL DISTRIBUTORS AND SUPPLIERS.

Representative Jordan requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Anderson, Balmer, Barbee, Barnhill, Beard, Black, Bowie, Bowman, Brawley, Brown, Buchanan, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Decker, Dial, Dickson, Dockham, Easterling, Esposito, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Gray, Green, Greenwood, Hackney, Hardaway, Hasty, Hege, Hensley, Holmes, Holt, Huffman, Jack Hunt, Judy Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 89.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Albertson, Barnes, Beall, Brubaker, Chapin, Dawkins, Diamont, Ethridge, Fitch, Fletcher, Grady, Grimmer, Howard, R. Hunter, Jeralds, Rhodes, Stewart, and Wicker - 19.

Excused vote: Representative Jordan.

Committee Substitute for H.B. 464, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FEES PAYABLE BY SEED GROWERS AND DEALERS, TO AUTHORIZE THE BOARD OF

AGRICULTURE TO ISSUE A STOP-SALE ORDER WHEN A DEALER OR GROWER FAILS TO PAY THE SEED FEE, AND TO ELIMINATE THE REQUIREMENT THAT A SEED DEALER OR GROWER FURNISH A BOND, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Anderson, Balmer, Barbee, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Church, N. J. Crawford, Creech, Culp, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Gray, Green, Greenwood, Hackney, Hardaway, Hasty, Hege, Hensley, Holmes, Holt, Huffman, Jack Hunt, Judy Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Smith, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 93.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Albertson, Barnes, Beall, Brubaker, Chapin, Dawkins, Diamont, Ethridge, Fitch, Fletcher, Grady, Grimmer, Howard, R. Hunter, Gerald, Rhodes, Stewart, and Wicker - 19.

H.B. 505, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING RESPITE CARE.

On motion of Representative Green, consideration of the bill is postponed until April 23.

H.B. 305, A BILL TO BE ENTITLED AN ACT TO REVISE THE ESSENTIAL ELEMENTS REQUIRED TO PROVE ARMED ROBBERY.

Representative Balmer offers Amendment No. 2 which is adopted by electronic vote (89-3).

On motion of Representative Balmer, the bill is withdrawn from the Calendar, ordered engrossed and re-referred to the Committee on Appropriations.

H.B. 427, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ROLE OF THE ATTORNEY GENERAL'S OFFICE IN COMMITMENT HEARINGS, passes its second reading, by electronic vote (84-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 453, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE WAGE AND HOUR ACT, passes its second reading, by electronic vote (77-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 456, A BILL TO BE ENTITLED AN ACT TO AMEND THE WAGE AND HOUR ACT TO PROVIDE FOR ATTORNEYS' FEES AND LIQUIDATED DAMAGES UNDER CERTAIN CIRCUMSTANCES, passes its second reading, by electronic vote (77-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **S.B. 166**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF AGING, TO CHARGE FEES FOR IN-HOME AND COMMUNITY-BASED SERVICES.

On motion of Representative Anderson, consideration of the bill is postponed until April 23.

On motion of Representative Jack Hunt, seconded by Representative Brawley, the House adjourns at 11:40 a.m. to reconvene Monday, April 22, 1991 at 7:00 p.m.

FORTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Monday, April 22, 1991

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of April 19 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (87-0).

Leaves of absence are granted Representatives Abernethy, Barbee, Colton, Diamond, Greenwood, Grimmer, Mercer, Warner, Withrow, and Wood for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Michaux for the Committee on Courts, Justice, Constitutional Amendments and Referenda:

H.B. 106, A BILL TO BE ENTITLED AN ACT TO ALLOW VOTER REGISTRATION BY MAIL, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative R. Hunter for the Committee on Judiciary III:

H.B. 355, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SUBPOENA POWER OF THE BOARD OF MEDICAL EXAMINERS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 24. The original bill is placed on the Unfavorable Calendar.

H.B. 370, A BILL TO BE ENTITLED AN ACT SPECIFYING PROCEDURES FOR FILING OF ANNEXATION DOCUMENTS WITH THE SECRETARY OF STATE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 24. The original bill is placed on the Unfavorable Calendar.

H.B. 395, A BILL TO BE ENTITLED AN ACT TO ALLOW SUMMARY JUDGMENT FOR ABSOLUTE DIVORCE IN CERTAIN CIRCUMSTANCES, with a favorable report.

H.B. 396, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW PERTAINING TO ACTIONS FOR ALIMONY OR ALIMONY PENDENTE LITE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 24. The original bill is placed on the Unfavorable Calendar.

By Representative Ramsey for the Committee on Public Employees:

H.B. 70, A BILL TO BE ENTITLED AN ACT TO PROVIDE SUPPLEMENTAL PAY TO STATE EMPLOYEES AND PUBLIC SCHOOL EMPLOYEES WHO HAVE BEEN ORDERED TO ACTIVE DUTY AS A RESULT OF THE PERSIAN GULF WAR, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

S.B. 10, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AND CLARIFYING AMENDMENTS TO CHAPTER 126 OF THE GENERAL STATUTES REGARDING THE STATE PERSONNEL SYSTEM, with a favorable report as to House committee substitute bill, unfavorable as to Senate bill.

The House committee substitute bill is placed on the Calendar for April 24. The original bill is placed on the Unfavorable Calendar.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Fletcher for the Permanent Subcommittee on Financial Institutions:

H.B. 33, A BILL TO BE ENTITLED AN ACT TO REGULATE THE BUSINESS OF PROVIDING CREDIT REPAIR SERVICES, reported to the Standing Committee on Commerce, with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

By Representative Lineberry for the Permanent Subcommittee on Small Business:

H.B. 5, A BILL TO BE ENTITLED AN ACT TO RAISE THE MINIMUM WAGE AND TO AUTHORIZE A TRAINING WAGE, reported to the Standing Committee on Economic Expansion, with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 102, AN ACT TO REQUIRE THAT THE DEPARTMENT OF HUMAN RESOURCES REPORT CHANGES IN DOMICILIARY HOME REGULATING, LICENSING, AND MONITORING TO THE NORTH CAROLINA STUDY COMMISSION ON AGING. (CHAPTER 41)

S.B. 110, AN ACT TO IMPROVE THE ADMINISTRATION OF THE TAXES ON MOTOR FUELS, SPECIAL FUEL, AND MOTOR CARRIERS, AND TO TEMPORARILY RESTORE THE \$40,000 CAP ON BONDS THAT MAY BE REQUIRED OF FUEL DISTRIBUTORS AND SUPPLIERS. (CHAPTER 42)

S.B. 243, AN ACT TO MAKE APPOINTMENTS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE. (CHAPTER 43)

H.B. 48, AN ACT TO PERMIT CERTAIN RADIO EMERGENCY ASSOCIATED CITIZENS TEAMS (REACT) VEHICLES TO ACTIVATE AMBER LIGHTS WHILE OPERATING ON THE HIGHWAYS. (CHAPTER 44)

H.B. 61, AN ACT TO MAKE TECHNICAL CHANGES TO THE REVENUE LAWS AND RELATED STATUTES. (CHAPTER 45)

S.J.R. 646, A JOINT RESOLUTION HONORING DUKE UNIVERSITY ON WINNING THE NCAA DIVISION I MEN'S BASKETBALL CHAMPIONSHIP. (RESOLUTION 10)

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative H. Hunter:

H.B. 1038, A BILL TO BE ENTITLED AN ACT TO REQUIRE CONTINUING EDUCATION FOR LOCAL ENVIRONMENTAL HEALTH STAFF WHO CARRY OUT RULES ADOPTED BY THE COMMISSION FOR HEALTH SERVICES, AND TO SUPPORT THIS AND OTHER CRITICALLY NEEDED SEWAGE DISPOSAL AND RELATED ACTIVITIES BY IMPOSING A FEE ON SEPTIC TANKS SOLD FOR USE IN NORTH CAROLINA, is referred to the Committee on Finance.

By Representatives Kerr, Anderson, Bowman, R. Hunter, Mavretic, Smith, and Wainwright:

H.B. 1039, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE CONSTRUCTION OF FACILITIES IN AND THE EXTENSION OF NATURAL GAS SERVICE TO UNSERVED AREAS AND TO REVISE THE PROCEDURES FOR GAS COST ADJUSTMENTS FOR NATURAL GAS LOCAL DISTRIBUTION COMPANIES, is referred to the Committee on Public Utilities.

By Representatives Decker, Balmer, Brawley, Brown, Buchanan, Dockham, Gardner, Hege, Justus, Kimsey, Ligon, Privette, and Wilson:

H.B. 1040, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SOCIAL SERVICES COMMISSION TO ADOPT SPECIFIC RULES TO MAKE FETAL MODELS AVAILABLE TO STATE ABORTION FUND CLIENTS UPON REQUEST, is referred to the Committee on Human Resources.

By Representatives Decker, Brawley, Brown, Buchanan, Culp, Gardner, Hege, Isenhower, Kimsey, Ligon, and Privette:

H.B. 1041, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO ASSIST A PERSON IN COMMITTING SUICIDE, is referred to the Committee on Judiciary II.

By Representative Flaherty:

H.B. 1042, A BILL TO BE ENTITLED AN ACT TO ENACT THE UNIFORM DETERMINATION OF DEATH ACT, is referred to the Committee on Judiciary III.

By Representative Flaherty:

H.B. 1043, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF CORRECTION TO CHARGE COUNTIES FOR THE EXTRAORDINARY MEDICAL COSTS OF SAFEKEEPERS, is referred to the Committee on Appropriations.

By Representatives Flaherty and Justus:

H.B. 1044, A BILL TO BE ENTITLED AN ACT TO ALLOW THE HOUSING OF SAFEKEEPERS IN THE SAME INPATIENT

MEDICAL AND MENTAL HEALTH FACILITIES WITH CONVICTED PRISONERS, is referred to the Committee on Judiciary III.

By Representative Flaherty:

H.B. 1045, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT HOSPITALS PROVIDING MEDICAL CARE TO INMATES IN THE CUSTODY OF THE DEPARTMENT OF CORRECTION SHALL PERMIT THE DEPARTMENT TO AUDIT INMATE RECORDS WITHOUT CHARGING A FEE, is referred to the Committee on Appropriations.

By Representative Bowen:

H.B. 1046, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE UTILITIES COMMISSION TO OVERSEE A TWO-YEAR STUDY OF THE FEASIBILITY OF LIMITING DURATION OF COIN-OPERATED TELEPHONE CALLS, is referred to the Committee on Public Utilities.

By Representative Lilley:

H.B. 1047, A BILL TO BE ENTITLED AN ACT TO ELIMINATE DOUBLE TAXATION OF ALARM SYSTEMS INSTALLERS LICENSED BY THE ALARM SYSTEMS LICENSING BOARD, is referred to the Committee on Finance.

By Representative Rhyne:

H.B. 1048, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE FOR DRIVER IMPROVEMENT CLINICS AND TO PROVIDE THAT A PORTION OF THE FEE SHALL BE DISTRIBUTED IN THE LAW ENFORCEMENT RETIREMENT FUND, is referred to the Committee on Finance.

By Representative Brawley:

H.B. 1049, A BILL TO BE ENTITLED AN ACT TO REQUIRE CHILDREN TO EXHIBIT FOURTH GRADE CAPABILITY BEFORE PROMOTION TO THE FIFTH GRADE, is referred to the Committee on Education.

By Representatives Hackney, Bowman, and Culp:

H.B. 1050, A BILL TO BE ENTITLED AN ACT TO INCLUDE MAGISTRATES' PRIOR SERVICE AS WILDLIFE OFFICERS AND CAMPUS POLICE OFFICERS IN DETERMINATION OF LONGEVITY CREDIT, is referred to the Committee on Public Employees.

By Representatives Green, Anderson, Bowman, Church, Gamble, Hardaway, Oldham, Smith, Wainwright, and Woodard:

H.J.R. 1051, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE STATE OF PREHOSPITAL EMERGENCY CARDIAC CARE IN NORTH CAROLINA, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Green, Anderson, Bowman, Church, Gamble, Hardaway, Oldham, Smith, Wainwright, and Woodard:

H.J.R. 1052, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE LONG TERM CARE SYSTEM IN NORTH CAROLINA, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Nesbitt, Bowman, Hackney, Hardaway, and Miller:

H.B. 1053, A BILL TO BE ENTITLED AN ACT TO PERMIT PUBLIC SCHOOL EMPLOYEES TO AUTHORIZE THE PERIODIC DEDUCTION FROM THEIR SALARIES OF PAYMENTS TO THE EMPLOYEES' ASSOCIATIONS, is referred to the Committee on Public Employees.

By Representative Luebke:

H.B. 1054, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTIES IN WHICH THERE ARE HIGHWAY TRUST FUND PROJECTS TO DIVERT SOME OF THE FUNDS FOR PUBLIC TRANSPORTATION SERVICES, is referred to the Committee on Transportation.

By Representative Luebke:

H.B. 1055, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL SERVICE STATIONS TO PROVIDE FREE AIR SERVICES AND BATHROOMS, is referred to the Committee on Agriculture.

By Representative Luebke:

H.B. 1056, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE AMOUNT OF A CIVIL PENALTY ASSESSMENT AS DETERMINED BY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES IS BINDING ON THE ENVIRONMENTAL MANAGEMENT COMMISSION IN ITS REVIEW OF THE DECISION RECOMMENDED BY THE DEPARTMENT, is referred to the Committee on Environment.

By Representatives Luebke, Bowman, Gottovi, Jeffus, and Kennedy:

H.B. 1057, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE BATHROOM EQUITY ACT, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Luebke and R. Hunter:

H.B. 1058, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ETHICS CODE FOR PUBLIC OFFICERS AND EMPLOYEES, is referred to the Committee on Judiciary III.

By Representatives Warner and Bowman:

H.R. 1059, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF

THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Colton, Gottovi, Hasty, Smith, and Stamey:

H.B. 1060, A BILL TO BE ENTITLED AN ACT TO INCREASE THE LENGTH OF TIME FOR WHICH THE EFFECTIVE DATE OF A CERTIFICATE OF APPROPRIATENESS MAY BE DELAYED, is referred to the Committee on State Government.

By Representative Loflin:

H.B. 1061, A BILL TO BE ENTITLED AN ACT TO REQUIRE BONDS OF DISTRIBUTORS AND SUBDISTRIBUTORS OF MILK, is referred to the Committee on Agriculture.

By Representatives Easterling, Barnhill, Black, Colton, N. J. Crawford, Ethridge, Fitch, Foster, Gottovi, Greenwood, Sam Hunt, Jeralds, Lilley, Lineberry, McLaughlin, Nye, and Stamey:

H.B. 1062, A BILL TO BE ENTITLED AN ACT TO PHASE IN CHANGES TO STAFF-CHILD RATIOS AND GROUP SIZES IN CHILD DAY CARE FACILITIES, is referred to the Committee on Human Resources.

By Representatives Easterling, Balmer, Barnhill, Black, Cunningham, and Foster:

H.B. 1063, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN IMMIGRANTS BE TREATED AS STATE RESIDENTS FOR COMMUNITY COLLEGE TUITION PURPOSES, is referred to the Committee on Education.

By Representative Robinson:

H.B. 1064, A BILL TO BE ENTITLED AN ACT TO AMEND THE AXLE REQUIREMENTS FOR MOTOR HOMES AND CERTAIN TRUCKS, is referred to the Committee on Transportation.

By Representative Holt:

H.B. 1065, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BOATING SAFETY EDUCATION REQUIREMENT, is referred to the Committee on Transportation.

By Representative Flaherty:

H.B. 1066, A BILL TO BE ENTITLED AN ACT TO STIMULATE COMPETITIVE DRUG PRICES FOR STATE INSTITUTIONS AND FOR THE STATE HEALTH PLAN, is referred to the Committee on Public Employees.

By Representative Miller:

H.B. 1067, A BILL TO BE ENTITLED AN ACT TO ESTABLISH PENALTIES FOR THE CRIMINALLY NEGLIGENT USE OF A

FIREARM WHILE HUNTING, is referred to the Committee on Judiciary II.

By Representative Judy Hunt:

H.B. 1068, A BILL TO BE ENTITLED AN ACT TO PROTECT THE PUBLIC HEALTH BY REQUIRING THAT LOW-LEVEL RADIOACTIVE WASTE WITH LEVELS OF RADIATION BELOW THAT REGULATED BY THE FEDERAL GOVERNMENT BE TREATED, RECYCLED, STORED, OR DISPOSED OF AT A LOW-LEVEL RADIOACTIVE WASTE DISPOSAL FACILITY LICENSED PURSUANT TO CHAPTER 104E OF THE GENERAL STATUTES, is referred to the Committee on Environment.

By Representatives Green and Church:

H.B. 1069, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SITING OF AN AUTHORIZED HAZARDOUS WASTE FACILITY OPERATED PURSUANT TO CHAPTER 130B OF THE GENERAL STATUTES WITHIN THIRTY-FIVE MILES OF A STATE PSYCHIATRIC OR MENTAL RETARDATION CENTER, is referred to the Committee on Environment.

CALENDAR

Action is taken on the following:

H.B. 635, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF RALEIGH TO LEVY A MOTOR VEHICLE TAX NOT TO EXCEED FIFTEEN DOLLARS.

On motion of Representative Stamey, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Blue; Representatives Albertson, Anderson, Barnes, Barnhill, Beall, Beard, Bowen, Bowman, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Cunningham, Dawkins, DeVane, Dial, Dickson, Easterling, Ethridge, Fletcher, Foster, Fussell, Gamble, Gist, Gottovi, Gray, Green, Hackney, Hardaway, Hasty, Hensley, Jack Hunt, Judy Hunt, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Lilley, Lineberry, Luebke, Lutz, McGee, McLaughlin, McLawhorn, Mavretic, Michaux, Miller, Nesbitt, Nye, Oldham, Payne, Ramsey, Redwine, Rhodes, Robinson, Rogers, Smith, Stamey, Stewart, Tallent, Wainwright, Wicker, Wilmoth, and Woodard - 70.

Voting in the negative: Representatives Balmer, Bowie, Brawley, Brown, Brubaker, Creech, Culp, Decker, Dockham, Esposito, Flaherty, Grady, Hege, Holmes, Howard, Huffman, Isenhower, Justus,

Kimsey, Lewis, Ligon, Loflin, McAllister, Morgan, Pope, Rhyne, Russell, and Wilson - 28.

Excused absences: Representatives Abernethy, Barbee, Colton, Diamont, Greenwood, Grimmer, Mercer, Warner, Withrow, and Wood - 10.

H.B. 762, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITIES OF HIGH POINT AND GREENSBORO TO ENACT ROOM OCCUPANCY TAXES IF THE GUILFORD COUNTY OCCUPANCY TAX IS REPEALED, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Hackney, Hardaway, Hasty, Hege, Hensley, Holmes, Holt, Howard, Huffman, Jack Hunt, Sam Hunt, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Wilmoth, Wilson, and Woodard - 98.

Voting in the negative: Representative Decker.

Excused absences: Representatives Abernethy, Barbee, Colton, Diamont, Greenwood, Grimmer, Mercer, Warner, Withrow, and Wood - 10.

Committee Substitute for H.B. 574, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF FOSCOE.

Representative Judy Hunt offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Hackney, Hardaway, Hasty, Hege, Hensley, Holmes, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey,

Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Wilmoth, Wilson, and Woodard - 99.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Abernethy, Barbee, Colton, Diamond, Greenwood, Grimmer, Mercer, Warner, Withrow, and Wood - 10.

H.B. 688, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MARTIN COUNTY TO LEVY A ROOM OCCUPANCY AND TRAVEL AND TOURISM TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Hackney, Hardaway, Hasty, Hege, Hensley, Holmes, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Wilmoth, Wilson, and Woodard - 99.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Abernethy, Barbee, Colton, Diamond, Greenwood, Grimmer, Mercer, Warner, Withrow, and Wood - 10.

H.B. 775, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALLEGHANY COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.

On motion of Representative Judy Hunt, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Hackney, Hardaway, Hasty, Hege, Hensley, Holmes, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus,

Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Wilmoth, Wilson, and Woodard - 99.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Abernethy, Barbee, Colton, Diamond, Greenwood, Grimmer, Mercer, Warner, Withrow, and Wood - 10.

H.B. 808, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ASHE COUNTY TO LEVY A ROOM OCCUPANCY TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Hackney, Hardaway, Hasty, Hege, Hensley, Holmes, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Wilmoth, Wilson, and Woodard - 99.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Abernethy, Barbee, Colton, Diamond, Greenwood, Grimmer, Mercer, Warner, Withrow, and Wood - 10.

Committee Substitute for **H.B. 464, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FEES PAYABLE BY SEED GROWERS AND DEALERS, TO AUTHORIZE THE BOARD OF AGRICULTURE TO ISSUE A STOP-SALE ORDER WHEN A DEALER OR GROWER FAILS TO PAY THE SEED FEE, AND TO ELIMINATE THE REQUIREMENT THAT A SEED DEALER OR GROWER FURNISH A BOND**, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Gardner, Gist, Gottovi, Grady, Gray, Green, Hackney, Hardaway, Hasty, Hege, Hensley,

Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Wicker, Wilmoth, Wilson, and Woodard - 95.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Barbee, Colton, Diamont, Greenwood, Grimmer, Mercer, Warner, Withrow, and Wood - 10.

H.B. 424, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A FEE FOR COMPANION ANIMAL CERTIFICATES OF EXAMINATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, R. Hunter, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Lutz, McAllister, McGee, McLawhorn, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Wicker, Wilmoth, Wilson, and Woodard - 95.

Voting in the negative: Representative Rhodes.

Excused absences: Representatives Abernethy, Barbee, Colton, Diamont, Greenwood, Grimmer, Mercer, Warner, Withrow, and Wood - 10.

H.B. 468, A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERMIT TO SELL BEES AND TO AUTHORIZE THE COMMISSIONER OF AGRICULTURE TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF THE BEE AND HONEY ACT.

On motion of Representative Hardaway, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins,

Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gardner, Gist, Gottovi, Grady, Gray, Green, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, R. Hunter, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Wicker, Wilmoth, Wilson, and Woodard - 99.

Voting in the negative: Representative Ramsey.

Excused absences: Representatives Abernethy, Barbee, Colton, Diamont, Greenwood, Grimmer, Mercer, Warner, Withrow, and Wood - 10.

H.B. 87, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO SHIFT THE ELECTION OF THE GOVERNOR AND OTHER COUNCIL OF STATE MEMBERS TO NONPRESIDENTIAL EVEN-NUMBERED YEARS.

On motion of Representative Ethridge, consideration of the bill is postponed until May 1.

Committee Substitute for **H.B. 25, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ESTABLISH A COMMUNITY SERVICE PROGRAM; AND TO REQUIRE THAT COMMUNITY SERVICE MUST BE PERFORMED IN EXCHANGE FOR REMITTED FINES.**

On motion of Representative Jones, the bill is withdrawn from the Calendar and re-referred to the Committee on Environment.

H.B. 534, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE VICTIMS COMPENSATION ACT.

On motion of Representative R. Hunter, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 423, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MEANING OF "REPAIR" OF A SANITARY SEWAGE SYSTEM,** passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 314, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF PROGRAMS TO ADDRESS THE NURSING SHORTAGE IN NORTH CAROLINA,** passes its second reading by electronic vote (104-0).

On motion of Representative Nesbitt, further consideration of the bill is postponed until April 25.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Hightower for the permanent Subcommittee on Hazardous Waste of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 506, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW PROVIDING FOR THE PREVENTION OF LEAD POISONING IN CHILDREN, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 24. The original bill is placed on the unfavorable Calendar.

On motion of Representative Jack Hunt, seconded by Representative Robinson, the House adjourns, by electronic vote (94-3), at 8:15 p.m. to reconvene April 23 at 1:30 p.m.

FORTY-NINTH DAY

HOUSE OF REPRESENTATIVES

Tuesday, April 23, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of April 22 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (90-0).

Leaves of absence are granted Representatives Beard, Colton, Dial, and Greenwood for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 308, A BILL TO BE ENTITLED AN ACT TO ALLOW GASTON COUNTY OR ITS MUNICIPALITIES TO CONTRACT WITH FINANCIAL INSTITUTIONS FOR RECEIPT OF PAYMENTS OF DELINQUENT PROPERTY TAXES AND INTEREST, with a favorable report as to committee substitute bill, which changes the title and changes the bill to a public bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 25. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 553**, A BILL TO BE ENTITLED AN ACT TO CREATE THE TOBACCO RESEARCH COMMISSION, AUTHORIZE A REFERENDUM OF TOBACCO GROWERS REGARDING ESTABLISHMENT OF A TOBACCO CHECKOFF FOR TOBACCO RESEARCH, AND TO MAKE CONFORMING CHANGES IN THE LAWS CONCERNING AGRICULTURAL RESEARCH, with a favorable report.

By Representative Lutz for the Committee on Local and Regional Government II:

H.B. 591, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ROCKINGHAM COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H.B. 602, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IN FILLING A VACANCY ON THE LINCOLN COUNTY BOARD OF COMMISSIONERS, THE NOMINEE OF THE PARTY EXECUTIVE COMMITTEE OF THE VACATING MEMBER MUST BE APPOINTED, with a favorable report.

H.B. 624, A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITIES OF BURKE COUNTY AND THE MUNICIPALITIES THEREIN TO UNDERTAKE LOCAL DEVELOPMENT ACTIVITIES, with a favorable report.

H.B. 660, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATION OF TOWN OF NORTH TOPSAIL BEACH OR ONSLOW COUNTY ORDINANCES, with a favorable report.

H.B. 668, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF SOUTHPORT TO PROVIDE FOR THE PLACEMENT OF THE POSITION OF TAX COLLECTOR UNDER THE SUPERVISION OF THE CITY MANAGER, with a favorable report.

H.B. 674, A BILL TO BE ENTITLED AN ACT TO MERGE THE TOWNS OF JONESVILLE AND ARLINGTON IN YADKIN COUNTY, SUBJECT TO A REFERENDUM, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H.B. 678, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF BURLINGTON TO SELL SURPLUS PROPERTY TO THE RALPH SCOTT GROUP HOMES, INCORPORATED, BY PRIVATE SALE, with a favorable report.

H.B. 680, A BILL TO BE ENTITLED AN ACT TO EXEMPT BURKE COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE CONSTRUCTION OF A COUNTY DETENTION FACILITY, with a favorable report.

H.B. 726, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONDITIONS ON USE OF PROCEEDS OF A GOLDSBORO OCCUPANCY TAX, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representative Kennedy for the Committee on Judiciary I:

H.B. 388, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SMALL DEBTS NEED NOT BE TURNED OVER TO THE ATTORNEY GENERAL FOR COLLECTION, with a favorable report.

H.B. 417, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN ACTION UNDER THE CHAPTER OF LAW CONCERNING DIVORCE AND ALIMONY TO PROTECT THE PROPERTY OF AN INCOMPETENT SPOUSE BUT TO PREVENT THE ENTRY OF A DIVORCE DECREE ON BEHALF OF THE INCOMPETENT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

H.B. 421, A BILL TO BE ENTITLED AN ACT TO CLARIFY G.S. 13-1, TO RESTORE THE CITIZENSHIP OF PERSONS CONVICTED IN ANOTHER STATE ON THE SAME BASIS AS PERSONS CONVICTED IN THIS STATE OR IN FEDERAL COURT, AND TO SIMPLIFY THE PROCEDURE FOR FILING THE CERTIFICATE OF RESTORATION AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

SUBCOMMITTEES REFERRALS

Representative Hasty, Chairman for the Standing Committee on Economic Expansion, refers:

H.B. 894, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT GOVERNMENT AGENCIES SHALL CONFER WITH LABOR ORGANIZATIONS REGARDING EMPLOYMENT PROPOSALS, to the Permanent Subcommittee on Labor Relations and Employment.

H.B. 925, A BILL TO BE ENTITLED AN ACT TO PROVIDE A GRACE PERIOD FOR PLUMBING AND HEATING CONTRACTORS ELIGIBLE TO OBTAIN A LICENSE WITHOUT EXAMINATION, to the Permanent Subcommittee on Small Business.

H.B. 974, A BILL TO BE ENTITLED AN ACT TO PROTECT PURCHASERS AND DISCOURAGE FRAUD BY PROHIBITING A PERSON FROM REQUESTING OR RECORDING, AS A CONDITION OF ACCEPTING A CHECK, A CREDIT CARD NUMBER OR ANY OTHER PERSONAL IDENTIFICATION INFORMATION ON A CHECK OR OTHER DRAFT, to the Permanent Subcommittee on Small Business.

H.B. 975, A BILL TO BE ENTITLED AN ACT TO PREVENT THE RECORDATION OF PERSONAL IDENTIFICATION INFORMATION ON CREDIT CARD TRANSACTION FORMS, to the Permanent Subcommittee on Small Business.

H.B. 995, A BILL TO BE ENTITLED AN ACT TO REGULATE CERTAIN EMPLOYMENT AGENCIES EXEMPTED FROM CURRENT REGULATION, to the Permanent Subcommittee on Small Business.

H.B. 1028, A BILL TO BE ENTITLED AN ACT TO PREVENT UNFAIR COMPETITION BY ELECTRIC POWER SUPPLIERS, to the Permanent Subcommittee on Small Business.

Representatives Hackney and Miller, Chairmen for the Standing Committee on Finance refer:

H.B. 573, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE ALL OF THE SCHOOL ADMINISTRATIVE UNITS IN GUILFORD COUNTY OR TO PROVIDE FOR THE TWO CITY SCHOOL ADMINISTRATIVE UNITS IN THAT COUNTY TO HAVE BOUNDARIES COTERMINOUS WITH THE CITIES, SUBJECT TO A REFERENDUM, to the Permanent Subcommittee on Local and Regional Government Revenues.

H.B. 648, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COLUMBUS COUNTY TO COLLECT SOLID WASTE FEES IN THE SAME MANNER AS AD VALOREM TAXES AND, IN THE CASE OF NONPAYMENT, TO IMPOSE A LIEN ON REAL PROPERTY AND TO USE ALL THE REMEDIES THAT MAY BE USED FOR THE COLLECTION OF DELINQUENT AD VALOREM TAXES, to the Permanent Subcommittee on Local and Regional Government Revenues.

H.B. 759, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HARNETT COUNTY TO COLLECT SOLID WASTE FEES IN THE SAME MANNER AS AD VALOREM TAXES AND, IN THE CASE OF NONPAYMENT, TO IMPOSE A LIEN ON REAL PROPERTY AND TO USE ALL THE REMEDIES THAT MAY BE USED FOR THE COLLECTION OF DELINQUENT AD VALOREM TAXES, to the Permanent Subcommittee on Local and Regional Government Revenues.

H.B. 799, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SAMPSON COUNTY TO COLLECT CERTAIN FEES IN THE SAME MANNER AS AD VALOREM TAXES, to the Permanent Subcommittee on Local and Regional Government Revenues.

S.B. 205, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION FOR THE UTILITY REGULATORY FEE STATUTE, to the Permanent Subcommittee on State Revenues.

Representative DeVane, Chairman for the Standing Committee on Environment refers:

Committee Substitute for **H.B. 25**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ESTABLISH A COMMUNITY SERVICE PROGRAM; AND TO REQUIRE THAT COMMUNITY SERVICE MUST BE PERFORMED IN EXCHANGE FOR REMITTED FINES, to the Permanent Subcommittee on Water, Air and Soil.

H.B. 873, A BILL TO BE ENTITLED AN ACT TO POSTPONE THE DEADLINE: (1) FOR COMPLETING THE CLASSIFICATION OF WATER SUPPLY WATERSHEDS AND (2) FOR SUBMITTING LOCAL WATER SUPPLY ORDINANCES, to the Permanent Subcommittee on Water, Air and Soil.

H.B. 913, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PERSONS WHO DERIVE A SIGNIFICANT PORTION OF THEIR INCOME FROM DEVELOPMENT-RELATED BUSINESS ACTIVITIES MAY NOT BE APPOINTED AS AT-LARGE MEMBERS OF THE COASTAL RESOURCES COMMISSION, to the Permanent Subcommittee on Water, Air and Soil.

H.B. 924, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ISSUANCE OF A PERMIT TO EMIT AIR CONTAMINANTS UNTIL EACH LOCAL GOVERNMENT HAVING JURISDICTION STATES THAT THE PROPOSED FACILITY IS CONSISTENT WITH LOCAL LAND-USE PLANS IF IT HAS SUCH A PLAN, to the Permanent Subcommittee on Water, Air and Soil.

H.B. 981, A BILL TO BE ENTITLED AN ACT TO INCREASE LOCAL INVOLVEMENT IN THE DECISION TO ISSUE A PERMIT TO EMIT AIR CONTAMINANTS, to the Permanent Subcommittee on Water, Air and Soil.

H.B. 990, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT THAT SOIL AND WATER CONSERVATION DISTRICTS OBTAIN ANNUAL INDEPENDENT AUDITS, to the Permanent Subcommittee on Water, Air and Soil.

H.B. 960, A BILL TO BE ENTITLED AN ACT TO PHASE IN THE USE OF REUSABLE HAND TOWELS IN STATE OFFICES THROUGHOUT THE STATE BY JANUARY 1, 1994, to the Permanent Subcommittee on Solid Waste.

H.B. 962, A BILL TO BE ENTITLED AN ACT TO PROHIBIT CERTAIN ACTS REGARDING PAINTS AND SOLVENTS, to the Permanent Subcommittee on Hazardous Waste.

H.B. 1001, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADOPT-A-BEACH PROGRAM IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, to the Permanent Subcommittee on Water, Air and Soil.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Woodard and Bowman:

H.B. 1070, A BILL TO BE ENTITLED AN ACT TO CREATE THE LEGISLATIVE STUDY COMMISSION ON ENVIRONMENTAL SCIENCE AND TECHNOLOGY POLICY, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Rhyne:

H.B. 1071, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ONE-HALF OF ALL FUNDS PAID TO A CONSTITUENT UNIVERSITY OF THE UNIVERSITY OF NORTH CAROLINA AS A RESULT OF PARTICIPATION IN POSTSEASON INTERCOLLEGIATE ATHLETIC COMPETITION SHALL BE USED FOR GENERAL INSTITUTIONAL PURPOSES, is referred to the Committee on Education.

By Representative Rhyne:

H.B. 1072, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CHILD VICTIM MAY TESTIFY IN COURT IN CERTAIN CRIMINAL CASES BY MEANS OF CLOSED CIRCUIT TELEVISION, is referred to the Committee on Judiciary I.

By Representative Gamble:

H.B. 1073, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE INSTRUCTIONS FOR SPLITTING TICKETS IN MULTISEAT RACES, TO MAKE IT CLEAR THAT IF THE VOTER MARKS A STRAIGHT TICKET AND THEN MARKS CANDIDATES OF THE OTHER PARTY, THE BALLOT WILL NOT BE COUNTED FOR ANY CANDIDATES FOR THAT OFFICE OF THE PARTY WHOSE CIRCLE WAS MARKED UNLESS THOSE CANDIDATES ARE VOTED FOR INDIVIDUALLY AS WELL, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Kerr and Gottovi:

H.B. 1074, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF COMMERCIAL UNDERGROUND STORAGE TANK, is referred to the Committee on Environment.

By Representative Robinson:

H.B. 1075, A BILL TO BE ENTITLED AN ACT TO MODIFY THE APPEARANCE OF THE MOTOR VEHICLE REGISTRATION PLATES ISSUED TO MEMBERS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Gardner, Gottovi, and Holt:

H.B. 1076, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM TO AUTHORIZE ELECTRONIC TRANSMISSION OR RECORDING OF THE TESTIMONY OF CHILDREN IN CASES OF PHYSICAL OR SEXUAL ABUSE OF CHILDREN, is referred to the Committee on Judiciary II.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 10, AN ACT TO ALLOW LESSORS AND RENTERS OF MOTOR VEHICLES TO ELECT TO PAY HIGHWAY USE TAX ON

MOTOR VEHICLES OWNED ON OCTOBER 1, 1989, AND TO CLARIFY THAT THESE MOTOR VEHICLES ARE OTHERWISE SUBJECT TO THE GROSS RECEIPTS TAX. (CHAPTER 46)

H.B. 84, AN ACT TO REPEAL THE SUNSET ON LEGISLATION AUTHORIZING CURRITUCK COUNTY TO LEVY AN EXCISE TAX ON INSTRUMENTS CONVEYING REAL PROPERTY. (CHAPTER 47)

H.B. 119, AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF PINEVILLE. (CHAPTER 48)

H.B. 185, AN ACT TO MODIFY THE SCOPE OF THE GASTON COUNTY OCCUPANCY TAX. (CHAPTER 49)

H.B. 365, AN ACT TO PROVIDE FOR PAYMENT OF BENEFITS UNDER THE REGISTERS OF DEEDS' SUPPLEMENTAL PENSION FUND ON THE SAME DAY AS OTHER RETIREMENT BENEFITS ARE PAID. (CHAPTER 50)

H.B. 368, AN ACT TO CLARIFY THE DEFINITION OF "COMPENSATION" AS USED IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM. (CHAPTER 51)

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 574**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF FOSCOE.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Hackney, Hege, Hensley, Hightower, Holmes, Howard, Huffman, Jack Hunt, Judy Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 101.

Voting in the negative: None.

Excused absences: Representatives Beard, Colton, Dial, and Greenwood - 4.

H.B. 762, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITIES OF HIGH POINT AND GREENSBORO TO ENACT ROOM

OCCUPANCY TAXES IF THE GUILFORD COUNTY OCCUPANCY TAX IS REPEALED, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Hackney, Hasty, Hege, Hensley, Hightower, Holmes, Howard, Huffman, Jack Hunt, Judy Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Russell, Stamey, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 100.

Voting in the negative: Representative Decker.

Excused absences: Representatives Beard, Colton, Dial, and Greenwood - 4.

H.B. 635, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF RALEIGH TO LEVY A MOTOR VEHICLE TAX NOT TO EXCEED FIFTEEN DOLLARS.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, DeVane, Dickson, Dockham, Easterling, Esposito, Ethridge, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Hackney, Hardaway, Hasty, Hensley, Hightower, Holmes, Holt, Huffman, Jack Hunt, Judy Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lewis, Lilley, Lineberry, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Nesbitt, Nye, Oldham, Privette, Ramsey, Redwine, Rhodes, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 96.

Voting in the negative: Representatives Creech, Flaherty, Hege, Howard, Kimsey, Ligon, Loflin, Morgan, Pope, and Rhyne - 10.

Excused absences: Representatives Beard, Colton, Dial, and Greenwood - 4.

H.B. 688, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MARTIN COUNTY TO LEVY A ROOM OCCUPANCY AND TRAVEL AND TOURISM TAX, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, DeVane, Dickson, Dockham, Easterling, Esposito, Ethridge, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Hackney, Hardaway, Hasty, Hensley, Hightower, Holmes, Holt, Huffman, Jack Hunt, Judy Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lewis, Lilley, Lineberry, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Nesbitt, Nye, Oldham, Privette, Ramsey, Redwine, Rhodes, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 96.

Voting in the negative: Representatives Creech, Flaherty, Hege, Howard, Kimsey, Ligon, Loflin, Morgan, Pope, and Rhyne - 10.

Excused absences: Representatives Beard, Colton, Dial, and Greenwood - 4.

H.B. 775, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALLEGHANY COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, DeVane, Dickson, Dockham, Easterling, Esposito, Ethridge, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Hackney, Hardaway, Hasty, Hensley, Hightower, Holmes, Holt, Huffman, Jack Hunt, Judy Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lewis, Lilley, Lineberry, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Nesbitt, Nye, Oldham, Privette, Ramsey, Redwine, Rhodes, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 96.

Voting in the negative: Representatives Creech, Flaherty, Hege, Howard, Kimsey, Ligon, Loflin, Morgan, Pope, and Rhyne - 10.

Excused absences: Representatives Beard, Colton, Dial, and Greenwood - 4.

H.B. 808, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ASHE COUNTY TO LEVY A ROOM OCCUPANCY TAX, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan,

Chapin, Church, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, DeVane, Dickson, Dockham, Easterling, Esposito, Ethridge, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Hackney, Hardaway, Hasty, Hensley, Hightower, Holmes, Holt, Huffman, Jack Hunt, Judy Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lewis, Lilley, Lineberry, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Nesbitt, Nye, Oldham, Privette, Ramsey, Redwine, Rhodes, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 96.

Voting in the negative: Representatives Creech, Flaherty, Hege, Howard, Kimsey, Ligon, Loflin, Morgan, Pope, and Rhyne - 10.

Excused absences: Representatives Beard, Colton, Dial, and Greenwood - 4.

H.B. 424, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A FEE FOR COMPANION ANIMAL CERTIFICATES OF EXAMINATION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 105.

Voting in the negative: None.

Excused absences: Representatives Beard, Colton, Dial, and Greenwood - 4.

H.B. 468, A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERMIT TO SELL BEES AND TO AUTHORIZE THE COMMISSIONER OF AGRICULTURE TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF THE BEE AND HONEY ACT.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan,

Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Jack Hunt, Judy Hunt, R. Hunter, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 105.

Voting in negative: Representative Huffman.

Excused absences: Representatives Beard, Colton, Dial, and Greenwood - 4.

Committee Substitute for S.B. 166, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF AGING, TO CHARGE FEES FOR IN-HOME AND COMMUNITY-BASED SERVICES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Black, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gardner, Gist, Gottovi, Grady, Gray, Green, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 106.

Voting in the negative: None.

Excused absences: Representatives Beard, Colton, Dial, and Greenwood - 4.

Committee Substitute for H.B. 300, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THERE SHALL BE NO INSURANCE POINTS ASSESSED FOR SPEEDING TEN MILES OR LESS OVER THE SPEED LIMIT FOR FIRST OFFENSE IN THREE YEARS WHERE SPEED LIMIT EXCEEDS FIFTY-FIVE MILES PER HOUR.

Representative Mercer offers Amendment No. 1 which is adopted by electronic vote (98-0).

The bill, as amended, passes its third reading, by electronic vote (99-3), and is ordered engrossed and sent to the Senate.

H.B. 494, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE BUSINESS COMMUNITY TO FACILITATE STUDENT ACHIEVEMENT.

Representative Nesbitt offers Amendment No. 3 which is adopted by electronic vote (107-0).

Representative Mavretic offers Amendment No. 4 which is adopted by electronic vote (100-5).

The bill, as amended, passes its third reading, by electronic vote (96-14), and is ordered engrossed and sent to the Senate.

H.B. 505, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING RESPITE CARE, passes its third reading, by electronic vote (99-0), and is ordered sent to the Senate.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Lineberry for the Permanent Subcommittee on Small Business of the Standing Committee on Economic Expansion, with approval of Standing Committee chairman for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 478, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE TYPE OF DEVICE COVERED BY THE AMUSEMENT DEVICE SAFETY ACT,** with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 25. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

Committee Substitute for **H.B. 413, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM CIVIL PENALTY WHICH MAY BE ASSESSED FOR VIOLATIONS OF AIR QUALITY STANDARDS OR LIMITATIONS AND TO CORRECT A CROSS-REFERENCE,** passes its second reading, by electronic vote (105-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 168, A BILL TO BE ENTITLED AN ACT TO AMEND THE HOME HEALTH AGENCY LICENSURE ACT,** passes its second, by electronic vote (104-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 395, A BILL TO BE ENTITLED AN ACT TO ALLOW SUMMARY JUDGMENT FOR ABSOLUTE DIVORCE IN CERTAIN CIRCUMSTANCES, passes its second reading by electronic vote (101-2).

Representative Rhyne objects to the third reading. The bill remains on the Calendar.

On motion of Representative Jack Hunt, seconded by Representative Miller, the House adjourns at 2:50 p.m. to reconvene April 24 at 1:30 p.m.

FIFTIETH DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 24, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of April 23 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (75-0).

Leaves of absence are granted Representatives Beard and Esposito for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lutz for the Committee on Local and Regional Government II:

H.B. 653, A BILL TO BE ENTITLED AN ACT TO CREATE A TAX COMMISSION FOR RANDOLPH COUNTY, TO PROVIDE FOR THE APPOINTMENT OF A TAX ASSESSOR, A TAX COLLECTOR, AND A SPECIAL BOARD OF EQUALIZATION AND REVIEW FOR RANDOLPH COUNTY, AND TO DEFINE THE POWERS AND DUTIES OF THE TAX COMMISSION, ASSESSOR, TAX COLLECTOR, AND SPECIAL BOARD OF EQUALIZATION AND REVIEW, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 659, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING ON, FROM, OR ACROSS THE RIGHT-OF-WAY OF PUBLIC ROADS OR HIGHWAYS IN ONSLOW COUNTY WITHOUT THE WRITTEN PERMISSION OF THE LANDOWNER OR LESSEE AND TO CHANGE THE LAW REGARDING TRESPASSING ON POSTED LAND IN ONSLOW COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 26. The original bill is placed on the Unfavorable Calendar.

H.B. 664, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF FARMVILLE, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 681, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ANNEXATION OF CAROLINA MILLS, INC., PROPERTY BY THE TOWN OF VALDESE AFTER A FIXED PERIOD OF TIME, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 603, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGISTRATION OF LAND IN GRANVILLE COUNTY AND TO REQUIRE ANY PERSON HUNTING OR POSSESSING A FIRE-ARM OR BOW AND ARROW THAT IS READILY AVAILABLE FOR USE TO SECURE AN ENTRY PERMIT BEFORE ENTERING OR REMAINING ON REGISTERED LAND OR REMAINING ON ABUTTING PORTIONS OF HIGHWAY, with a favorable report.

H.B. 745, A BILL TO BE ENTITLED AN ACT TO PROVIDE A GRACE PERIOD FOR MILITARY PERSONNEL TO LIST AND PAY PROPERTY TAXES AFTER DEPLOYMENT OR ACTIVE DUTY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 26. The original bill is placed on the Unfavorable Calendar.

By Representative Dawkins for the Committee on Judiciary II:

H.B. 309, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO CHAPTER 84 OF THE GENERAL STATUTES RELATING TO OUT-OF-STATE ATTORNEYS, PREPAID LEGAL SERVICES, DEPOSITS OF THE STATE BAR, AND BOARD OF LAW EXAMINERS RECORDS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 26. The original bill is placed on the Unfavorable Calendar.

H.B. 530, A BILL TO BE ENTITLED AN ACT MAKING VARIOUS AMENDMENTS TO CHAPTER 85B OF THE GENERAL

STATUTES RELATING TO AUCTIONS AND AUCTIONEERS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 26. The original bill is placed on the Unfavorable Calendar.

By Representative Gist for the Committee on Local and Regional Government I:

Senate Committee Substitute for House Committee Substitute for H.B. 157, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO WITH RESPECT TO FAIR HOUSING, with recommendation that the House concur.

H.B. 600, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE LOCAL SUPPLEMENTAL RETIREMENT BENEFIT FUND FOR FIREFIGHTERS IN THE TOWN OF CARY, IN WAKE COUNTY, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Pensions and Retirement.

On motion of Representative Jordan, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Pensions and Retirement.

H.B. 634, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF OXFORD TO CONVEY CERTAIN PROPERTY FOR CONSTRUCTION OF A NEW FIRE DEPARTMENT BY LEASE-PURCHASE ARRANGEMENT, with a favorable report.

H.B. 672, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FILING PERIOD FOR THE CUMBERLAND COUNTY BOARD OF EDUCATION, with a favorable report.

H.B. 683, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WILMINGTON TO AUTHORIZE ZONING DENSITY BONUSES IN PROJECTS CONTAINING SPECIFIED AMOUNTS OF LOW AND MODERATE INCOME HOUSING, with a favorable report.

H.B. 720, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CITY OF DURHAM'S FAIR HOUSING ORDINANCE TO COVER DISCRIMINATION BASED ON FAMILIAL STATUS, with a favorable report, as amended.

H.B. 721, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF DURHAM AND DURHAM COUNTY TO ENACT ORDINANCES THAT PROHIBIT ACTS OF DISCRIMINATION IN EMPLOYMENT AND PUBLIC ACCOMMODATIONS BASED ON RACE, COLOR, NATIONAL ORIGIN, RELIGION, SEX, HANDICAP, OR AGE, with a favorable report, as amended.

H.B. 722, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM RELATING TO DEVELOPMENT PLANS AND SITE PLANS, with a favorable report.

H.B. 723, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATING ORDINANCES OF THE CITY OF DURHAM, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H.B. 737, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO IMPOSE CONDITIONS AND RESTRICTIONS ON THE SALE OF PROPERTY, with a favorable report.

H.B. 747, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWNS OF MATTHEWS, MINT HILL, AND PINEVILLE IN MECKLENBURG COUNTY TO REGULATE IN CERTAIN EXTRA-TERRITORIAL AREAS, with a favorable report, as amended.

H.B. 757, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DUNN TO IMPOSE FACILITY FEES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H.B. 766, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM THE REQUIREMENTS OF THE PUBLIC BIDDING LAWS THE CONTRACTS FOR AN ADDITION TO THE PRESENT JAIL FACILITY OF WILSON COUNTY, with a favorable report.

H.B. 806, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE FEE FOR A WEAPON PERMIT IN CATAWBA COUNTY IS FIVE DOLLARS, with a favorable report.

H.B. 807, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE CONOVER FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Pensions and Retirement.

On motion of Representative Isenhower, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Pensions and Retirement.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Gamble for the Permanent Subcommittee on Local and Regional Government Revenue of the Standing Committee on Finance, with approval of the standing committee chairman for report to be made directly to the floor of the House:

H.B. 573, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE ALL OF THE SCHOOL ADMINISTRATIVE UNITS IN GUILFORD COUNTY OR TO PROVIDE FOR THE TWO CITY SCHOOL ADMINISTRATIVE UNITS IN THAT COUNTY TO HAVE BOUNDARIES COTERMINOUS WITH THE CITIES, SUBJECT TO A REFERENDUM, with a favorable report, as amended.

On motion of Representative Gamble, the rules are suspended and the bill is placed on the Calendar for April 29.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

H.J.R. 743, A JOINT RESOLUTION SETTING THE DATE FOR THE SENATE AND HOUSE OF REPRESENTATIVES TO ELECT MEMBERS OF THE STATE BOARD OF COMMUNITY COLLEGES, with a favorable report.

S.B. 87, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE GOVERNOR TO APPOINT A "COMPOSER-LAUREATE FOR THE STATE OF NORTH CAROLINA", with a favorable report.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Beard for the Permanent Subcommittee on Insurance:

H.B. 460, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE STATUTES GOVERNING HEALTH MAINTENANCE ORGANIZATIONS, reported to the Standing Committee on Commerce, with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

SUBCOMMITTEE REFERRAL

Representatives Hackney and Miller, Chairmen for the Standing Committee on Finance, refer:

H.B. 310, A BILL TO BE ENTITLED AN ACT TO INCREASE REGISTRATION AND RENEWAL FEES FOR PROFESSIONAL CORPORATIONS, to the Permanent Subcommittee on State Revenue.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Albertson for the Permanent Subcommittee on Crops and Animal Husbandry of the Standing Committee on Agriculture, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 729, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A PORK PROMOTION ASSESSMENT, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

S.B. 148, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE PRODUCTION OF CROPS, FRUITS, VEGETABLES, ORNAMENTAL AND FLOWERING PLANTS, ETC., IS A BONA FIDE FARM PURPOSE IN THE ZONING STATUTES, with a favorable report, as amended.

SUBCOMMITTEES REFERRALS

Representative Hardaway, Chairman for the Standing Committee on Commerce, refers:

H.B. 788, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR OPTIONS FOR CERTAIN BOND REQUIREMENTS OF VARIOUS LICENSEES OF THE DEPARTMENT OF INSURANCE, to the Permanent Subcommittee on Insurance.

H.B. 835, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE DISCLOSURE PROVISION FOR CONTINGENT LIABILITY UNDER MUTUAL INSURANCE POLICIES, to the Permanent Subcommittee on Insurance.

H.B. 839, A BILL TO BE ENTITLED AN ACT TO AFFECT THE PRESUMPTION OF REASONABLENESS OF CREDIT LIFE AND CREDIT ACCIDENT AND HEALTH INSURANCE PREMIUM RATES, to the Permanent Subcommittee on Insurance.

H.B. 840, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DEFINITION OF CREDIT ACCIDENT AND HEALTH INSURANCE, to the Permanent Subcommittee on Insurance.

H.B. 841, A BILL TO BE ENTITLED AN ACT TO AFFECT GROUP LIFE INSURANCE, to the Permanent Subcommittee on Insurance.

H.B. 846, A BILL TO BE ENTITLED AN ACT TO AMEND INSURANCE LAWS RELATING TO INSURANCE PREMIUM FINANCING, to the Permanent Subcommittee on Insurance.

H.B. 851, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TO THE EXTENT A COUNTY PROVIDES LIABILITY INSURANCE TO COUNTY OFFICERS OR EMPLOYEES IT SHALL PROVIDE LIABILITY INSURANCE TO THE REGISTER OF DEEDS, to the Permanent Subcommittee on Insurance.

H.B. 853, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HEALTH INSURANCE POLICIES FROM LIMITING PATIENT CHOICE IN SELECTING PHARMACY SERVICES, to the Permanent Subcommittee on Insurance.

H.B. 897, A BILL TO BE ENTITLED AN ACT TO PROHIBIT INSURANCE COMPANIES FROM REQUIRING SPECIFIC REPAIR COMPANIES BE USED BY CLAIMANTS AS A CONDITION FOR PAYING A CLAIM, to the Permanent Subcommittee on Insurance.

H.B. 902, A BILL TO BE ENTITLED AN ACT TO REMOVE FARM COVERAGES FROM THE JURISDICTION OF THE NORTH

CAROLINA RATE BUREAU, to the Permanent Subcommittee on Insurance.

H.B. 972, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROVISIONS REGULATING "PREFERRED PROVIDERS", to the Permanent Subcommittee on Insurance.

H.B. 725, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELIGIBILITY FOR GRANTS UNDER THE VOLUNTEER RESCUE/EMS FUND, to the Permanent Subcommittee on Insurance.

H.B. 869, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN LOAN AND APPRAISAL FEES AND TO AMEND THE USURY LAWS APPLICABLE TO COMMERCIAL LOANS, to the Permanent Subcommittee on Financial Institutions.

H.B. 955, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSUMER FINANCE ACT TO MODIFY THE RATES AND FEES ALLOWED TO BE CHARGED, TO GRANT AUTHORITY TO WRITE INSURANCE IN THE SAME PLACE OF BUSINESS, AND TO ALLOW THE TAKING OF SECOND MORTGAGES ON REAL PROPERTY, to the Permanent Subcommittee on Financial Institutions.

H.B. 912, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES TO VACATE AND CLOSE CERTAIN DWELLINGS FOUND TO BE IN VIOLATION OF THE MINIMUM HOUSING CODE, to the Permanent Subcommittee on Housing.

H.B. 1011, A BILL TO BE ENTITLED AN ACT TO AVOID UNNECESSARY EVICTIONS BY CLARIFYING AND MODERNIZING THE PROCEDURES FOR THE CURING OF DEFAULTS ON RENT, to the Permanent Subcommittee on Housing.

H.B. 1012, A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PORTIONS OF LANDLORD AND TENANT LAW, to the Permanent Subcommittee on Housing.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Black for the Permanent Subcommittee on Community Colleges of the Standing Committee on Education, with approval of the standing committee chairman for report to be made directly to the floor of the House:

H.B. 148, A BILL TO BE ENTITLED AN ACT TO INCREASE STATE EFFORT TO PREVENT DROPPING OUT OF SCHOOL BEFORE GRADUATION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 26. The original bill is placed on the Unfavorable Calendar.

H.B. 569, A BILL TO BE ENTITLED AN ACT TO REGULATE PERSONNEL RECORDS OF COMMUNITY COLLEGE SYSTEM EMPLOYEES AND RELATED MATTERS, with a favorable report.

By Representative Kennedy for the Permanent Subcommittee on Labor Relations and Employment:

H.B. 455, A BILL TO BE ENTITLED AN ACT TO CONFORM CERTAIN PROVISIONS OF THE WAGE AND HOUR ACT TO FEDERAL LAW, reported to the Standing Committee on Economic Expansion, with a favorable recommendation, as amended.

SUBCOMMITTEE REFERRAL

Representative DeVane, Chairman for the Standing Committee on Environment, refers:

H.B. 1068, A BILL TO BE ENTITLED AN ACT TO PROTECT THE PUBLIC HEALTH BY REQUIRING THAT LOW-LEVEL RADIOACTIVE WASTE WITH LEVELS OF RADIATION BELOW THAT REGULATED BY THE FEDERAL GOVERNMENT BE TREATED, RECYCLED, STORED, OR DISPOSED OF AT A LOW-LEVEL RADIOACTIVE WASTE DISPOSAL FACILITY LICENSED PURSUANT TO CHAPTER 104E OF THE GENERAL STATUTES, to the Permanent Subcommittee on Hazardous Waste.

SUSPENSION OF RULES TO INTRODUCE BILL

On motion of Representative Grimmer, Rule 31.1(b) is suspended by a two-thirds majority vote in order for a bill to be filed.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Jeralds, Luebke, Oldham, and Warner:

H.B. 1077, A BILL TO BE ENTITLED AN ACT TO CREATE A STUDY ON ACCESS TO HEALTH INSURANCE, is referred to the Committee on Human Resources.

By Representatives Jeralds and Warner:

H.B. 1078, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A PARENTAL INVOLVEMENT PROJECT IN CUMBERLAND COUNTY, is referred to the Committee on Appropriations.

By Representatives Jeralds and Oldham:

H.B. 1079, A BILL TO BE ENTITLED AN ACT TO CENTRALIZE ALL STATE GOVERNMENT PERSONNEL FUNCTIONS AND POSITIONS UNDER THE OFFICE OF STATE PERSONNEL, is referred to the Committee on Public Employees.

By Representatives Jeralds, Barnhill, Cunningham, Gist, Hardaway, Kennedy, and Michaux:

H.B. 1080, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ESCHEAT RECEIPTS, is referred to the Committee on Appropriations.

By Representatives Jeralds, Morgan, Oldham, and Warner:

H.B. 1081, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON CONVICTED OF A DRUG OFFENSE MAY NOT BE PLACED ON HOUSE ARREST, is referred to the Committee on Judiciary III.

By Representatives Anderson, Bowman, McLawhorn, and Warner:

H.B. 1082, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LIABILITY OF LANDOWNERS TO MEMBERS OF THE PUBLIC ENTERING THE LAND FOR EDUCATIONAL AND RECREATIONAL PURPOSES, is referred to the Committee on Judiciary II.

By Representatives Hasty and Bowman:

H.J.R. 1083, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ECONOMIC DEVELOPMENT AND REVITALIZATION OF DOWNTOWNS IN NORTH CAROLINA, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives McAllister, Barnhill, Beall, Beard, Cunningham, Dial, Easterling, Ethridge, Fitch, Fletcher, Gottovi, Green, Hardaway, Hensley, Sam Hunt, H. Hunter, James, Jeralds, Jones, Kahl, Luebke, Michaux, Oldham, Redwine, Wainwright and Warner:

H.B. 1084, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA LINKED DEPOSIT ACT, is referred to the Committee on Commerce.

By Representatives Bowie and Barbee:

H.B. 1085, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 62-110.3 TO CHANGE THE AMOUNT OF BOND REQUIRED FOR WATER AND SEWER COMPANIES BEFORE SUCH COMPANIES MAY BE GRANTED A FRANCHISE, is referred to the Committee on Public Utilities.

By Representatives Gray, Bowman, and Stamey:

H.B. 1086, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE PIEDMONT TRIAD RESEARCH INSTITUTE TO OPERATE THE PIEDMONT TRIAD GRADUATE ENGINEERING PROGRAM, BASED AT WAKE FOREST UNIVERSITY AND SERVING THE ENTIRE PIEDMONT TRIAD, is referred to the Committee on Education.

By Representative Miller:

H.B. 1087, A BILL TO BE ENTITLED AN ACT RELATING TO THE LAWS OF NORTH CAROLINA, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Miller:

H.B. 1088, A BILL TO BE ENTITLED AN ACT RELATING TO CIVIL PROCEDURE AND OTHER MATTERS, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Privette:

H.B. 1089, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATEWIDE DEFERRED PROSECUTION PROGRAM, is referred to the Committee on Judiciary III.

By Representative Privette:

H.B. 1090, A BILL TO BE ENTITLED AN ACT TO REQUIRE ENVIRONMENTAL IMPACT STATEMENTS FOR SANITARY LANDFILLS THAT ARE PRIVATELY OPERATED, is referred to the Committee on Environment.

By Representatives Mavretic and Bowman:

H.B. 1091, A BILL TO BE ENTITLED AN ACT TO SPECIFY THAT ALL OCCUPATIONAL LICENSING BOARDS ARE SUBJECT TO THE EXECUTIVE BUDGET ACT, is referred to the Committee on State Government.

By Representatives Nye and Bowen:

H.B. 1092, A BILL TO BE ENTITLED AN ACT RELATING TO THE MEMBERSHIP OF A COMMUNITY COLLEGE BOARD OF TRUSTEES, is referred to the Committee on Education.

By Representatives Redwine and H. Hunter:

H.B. 1093, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO DENY A PERMIT FOR A SANITARY LANDFILL OR A SOLID WASTE INCINERATOR TO AN APPLICANT THAT DOES NOT SUBMIT AN APPROVED WASTE REDUCTION PLAN, is referred to the Committee on Environment.

By Representatives Redwine and H. Hunter:

H.B. 1094, A BILL TO BE ENTITLED AN ACT TO PROVIDE PROTECTION FROM LIABILITY FOR NEGLIGENCE TO PERSONS PROVIDING MEDICAL AND DENTAL SERVICES TO INMATES IN THE CUSTODY OF THE DEPARTMENT OF CORRECTION, is referred to the Committee on Judiciary II.

By Representatives Hightower, Albertson, Anderson, Beall, Church, J. W. Crawford, Cunningham, Dawkins, DeVane, Ethridge, Fletcher, Green, Hardaway, H. Hunter, Kahl, Luebke, Mercer, Michaux, Nesbitt, Smith, Wainwright, and Warner:

H.J.R. 1095, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY HAZARDOUS WASTE DISPOSAL, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Hightower, Barnes, Beall, Church, Cunningham, Ethridge, Fletcher, Green, Hardaway, H. Hunter, Kahl, Mercer, Nesbitt, Smith, Wainwright, and Warner:

H.B. 1096, A BILL TO BE ENTITLED AN ACT TO PROHIBIT STATE INVOLVEMENT IN THE SITING OF A HAZARDOUS WASTE FACILITY UNTIL SUCH TIME AS (1) THE FEDERAL LAW PERMITS THE STATES TO BAR THE IMPORTATION OF HAZARDOUS WASTE FOR TREATMENT OR DISPOSAL OR (2) THERE ARE NO HAZARDOUS WASTE FACILITIES OUTSIDE OF THE STATE WHICH WILL ACCEPT HAZARDOUS WASTE GENERATED IN NORTH CAROLINA, is referred to the Committee on Environment.

By Representatives Hightower, Barnes, Beall, Church, J. W. Crawford, Cunningham, Ethridge, Fletcher, Green, Hardaway, H. Hunter, Kahl, Mercer, Nesbitt, Smith, Wainwright, and Warner:

H.B. 1097, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL HAZARDOUS WASTE LANDFILLS TO HAVE ENGINEERED BARRIERS, is referred to the Committee on Environment.

By Representatives Bowman and H. Hunter:

H.B. 1098, A BILL TO BE ENTITLED AN ACT TO CREATE A NORTH CAROLINA TOLL ROADS AUTHORITY TO ADMINISTER TOLL ROADS ON HIGHWAYS RECOMMENDED BY THE DEPARTMENT OF TRANSPORTATION, is referred to the Committee on Transportation.

By Representatives Decker and Wilson:

H.B. 1099, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT EVIDENCE THAT A MOTOR VEHICLE PASSED A STOPPED SCHOOL BUS IS PRIMA FACIE EVIDENCE THAT THE OWNER OF THE VEHICLE WAS OPERATING IT AT THE TIME OF THE VIOLATION, is referred to the Committee on Judiciary II.

By Representatives Hensley and Stamey:

H.B. 1100, A BILL TO BE ENTITLED AN ACT TO STANDARDIZE THE INVESTIGATION AND DISCIPLINE OF LAW ENFORCEMENT OFFICERS AND TO PROVIDE FOR JUDICIAL REVIEW, is referred to the Committee on Judiciary III.

By Representatives Fletcher and Diamont:

H.B. 1101, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE HOSIERY TECHNOLOGY CENTER AT CATAWBA VALLEY COMMUNITY COLLEGE, is referred to the Committee on Appropriations.

By Representative Rhyne:

H.B. 1102, A BILL TO BE ENTITLED AN ACT TO PROHIBIT ATTORNEYS FROM COMMENTING ON PUNISHMENT EITHER AT JURY SELECTION OR IN FINAL ARGUMENT, is referred to the Committee on Judiciary I.

By Representative Payne:

H.B. 1103, A BILL TO BE ENTITLED AN ACT TO INCREASE EXEMPT PROPERTY VALUES AND TO CLARIFY THE EFFECT

OF EXEMPTIONS, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Payne, Bowman, Gottovi, and Warner:

H.B. 1104, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF JUSTICE MAY PROVIDE A CRIMINAL RECORD CHECK TO THE EMPLOYER OF A SCHOOL EMPLOYEE OR POTENTIAL EMPLOYEE WITH THE CONSENT OF THE EMPLOYEE OR APPLICANT, is referred to the Committee on Judiciary II.

By Representatives Payne and Stamey:

H.B. 1105, A BILL TO BE ENTITLED AN ACT TO REQUIRE A LICENSE TO SELL FISH TAKEN FROM COASTAL FISHING WATERS, is referred to the Committee on Agriculture.

By Representatives Payne and Luebke:

H.B. 1106, A BILL TO BE ENTITLED AN ACT TO EXPAND THE JURISDICTION OF THE LEGISLATIVE ETHICS COMMITTEE, is referred to the Committee on Ethics.

By Representative Payne (by request):

H.B. 1107, A BILL TO BE ENTITLED AN ACT TO ALLOW DOGS IN HOTEL ROOMS UNDER CERTAIN CIRCUMSTANCES, is referred to the Committee on Judiciary II.

By Representatives Luebke, Bowman, Holt, and Kennedy:

H.B. 1108, A BILL TO BE ENTITLED AN ACT TO ENACT THE PUBLIC BATHROOM EQUITY ACT, is referred to the Committee on Human Resources.

By Representatives Hackney, Grimmer, H. Hunter, and Redwine:

H.B. 1109, A BILL TO BE ENTITLED AN ACT TO IMPROVE AND REFINE THE SOLID WASTE MANAGEMENT LAWS REGARDING THE STATE SOLID WASTE GOAL AND CERTAIN OTHER MATTERS, is referred to the Committee on Environment.

By Representatives Warner, Hurley, McAllister, and Morgan:

H.B. 1110, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEFINITION OF SECOND DEGREE MURDER TO INCLUDE CAUSING THE DEATH OF A VIABLE FETUS OTHER THAN IN THE COURSE OF A LAWFUL ABORTION, is referred to the Committee on Judiciary I.

By Representative Jeralds:

H.B. 1111, A BILL TO BE ENTITLED AN ACT TO REQUIRE PERSONS WHO ACCEPT USED GOODS ON CONSIGNMENT TO KEEP RECORDS OF THE CONSIGNED GOODS, is referred to the Committee on Economic Expansion.

By Representative Dickson:

H.B. 1112, A BILL TO BE ENTITLED AN ACT TO REQUIRE STUDENTS ENROLLED IN PUBLIC KINDERGARTEN, FIRST GRADE OR SECOND GRADE WHO ARE UNDER THE AGE OF SEVEN TO ATTEND SCHOOL, is referred to the Committee on Education.

By Representatives H. Hunter, Fitch, McLawhorn, and Mavretic:

H.B. 1113, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE LOTTERY, TO DEDICATE THE PROCEEDS OF THE LOTTERY TO CAPITAL PROJECTS, AND TO LET THE PEOPLE DECIDE WHETHER TO CONTINUE THE LOTTERY AFTER IT HAS OPERATED FOR FIVE YEARS, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representative H. Hunter:

H.B. 1114, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE AUTHORITY TO CONDUCT INVESTIGATIONS INTO ALLEGATIONS OF MISCONDUCT BY MEMBERS OF THE STATE HIGHWAY PATROL FROM THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO THE ATTORNEY GENERAL, is referred to the Committee on Judiciary II.

By Representative H. Hunter:

H.B. 1115, A BILL TO BE ENTITLED AN ACT TO CREATE A DIVISION OF ADULT SERVICES IN THE DEPARTMENT OF CORRECTION AND TO TRANSFER CERTAIN PROGRAMS TO THE NEW DIVISION FROM THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY AND THE DEPARTMENT OF HUMAN RESOURCES, is referred to the Committee on Appropriations.

By Representatives Flaherty, Bowman, and Pope:

H.B. 1116, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE LENGTH OF PROTECTIVE SUPERVISION OR PROBATION OF A JUVENILE ADJUDICATED DELINQUENT OR UNDISCIPLINED, is referred to the Committee on Judiciary III.

By Representatives Flaherty and Pope:

H.B. 1117, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE TRANSFER OF JURISDICTION OVER A JUVENILE TO SUPERIOR COURT FOR TRIAL AS AN ADULT, is referred to the Committee on Judiciary III.

By Representatives Flaherty and Pope:

H.B. 1118, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING THE PRETRIAL RELEASE OF JUVENILES, is referred to the Committee on Judiciary III.

By Representatives Flaherty, Bowman, and Pope:

H.B. 1119, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW RELATING TO THE INTERMITTENT COMMITMENT OF DELINQUENT JUVENILES, is referred to the Committee on Judiciary III.

By Representatives Ethridge, Colton, Flaherty, Fletcher, Gottovi, Hackney, Hightower, Kahl, Luebke, McGee, Stamey, and Withrow:

H.B. 1120, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA ENVIRONMENTAL PROTECTION LAWS TO PROVIDE ENHANCED PROTECTION FOR WETLANDS, is referred to the Committee on Environment.

By Representatives Ethridge, Fletcher, and H. Hunter:

H.B. 1121, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF LABOR TO ASSESS ADDITIONAL FEES AGAINST AMUSEMENT DEVICE OWNERS UNDER CERTAIN CIRCUMSTANCES, is referred to the Committee on Finance.

By Representatives Fitch, Beall, Bowman, Buchanan, Easterling, Ethridge, Foster, Gottovi, Hensley, H. Hunter, Luebke, McLaughlin, Oldham, and Warner:

H.B. 1122, A BILL TO BE ENTITLED AN ACT TO PERMIT TEACHERS WHO WOULD OTHERWISE LOSE VACATION DAYS TO TAKE UP TO TWO DAYS WHILE STUDENTS ARE IN SCHOOL, is referred to the Committee on Public Employees.

By Representatives Justus, Bowen, Chapin, J. W. Crawford, Dockham, Fletcher, Howard, Ligon, McLawhorn, Mercer, Privette, Rhodes, Smith, Warner, and Woodard:

H.B. 1123, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IT IS FIRST-DEGREE MURDER TO KILL A LAW ENFORCEMENT OFFICER, is referred to the Committee on Judiciary I.

By Representative Privette:

H.B. 1124, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, is referred to the Committee on Environment.

By Representatives Wilson, Bowie, and Warner:

H.B. 1125, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA FUND FOR CHILDREN AND FAMILIES, PROVIDE FOR ITS GOVERNANCE, AND PERMIT THE ALLOCATION OF CORPORATE AND INDIVIDUAL INCOME TAX REFUNDS, is referred to the Committee on Appropriations.

By Representatives Flaherty and Pope:

H.B. 1126, A BILL TO BE ENTITLED AN ACT TO REFORM THE CAMPAIGN FINANCE LAWS, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda:

By Representatives Brown, Balmer, Barbee, Brawley, Buchanan, Decker, Dockham, Flaherty, Kimsey, Ligon, Loflin, Mercer, Morgan, Privette, and Wilson:

H.B. 1127, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE IDENTIFICATION OF THE FATHER OF ANY CHILD ELIGIBLE FOR PUBLIC ASSISTANCE, is referred to the Committee on Human Resources.

By Representative Miller:

H.B. 1128, A BILL TO BE ENTITLED AN ACT TO ENHANCE AND PROMOTE ACCESS TO GOVERNMENT PROCEEDINGS IN NORTH CAROLINA, is referred to the Committee on Judiciary II.

By Representatives Mercer and Warner:

H.B. 1129, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SUPPORT OF CHILDREN ATTENDING COLLEGE WHO ARE OVER THE AGE OF EIGHTEEN AND UNDER THE AGE OF TWENTY-TWO, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 95**, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 1079 OF THE 1984 SESSION LAWS TO AUTHORIZE CUMBERLAND COUNTY TO SELL INDUSTRIAL SITES IN ITS INDUSTRIAL PARK, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for April 25.

H.B. 113, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF AYDEN TO DISPOSE OF CERTAIN PROPERTY BY PRIVATE NEGOTIATION AND SALE, is returned for concurrence in Senate amendment and placed on the Calendar for April 25.

H.B. 206, A BILL TO BE ENTITLED AN ACT TO SPECIFY AND MAKE UNIFORM THROUGHOUT THE STATE THE MANNER OF FILLING VACANCIES IN THE OFFICE OF REGISTER OF DEEDS, AND TO CLARIFY THAT THE REGISTER OF DEEDS TERM IS FOUR YEARS IN ALL COUNTIES, is returned for concurrence in Senate amendment and placed on the Calendar for April 25.

H.B. 339, A BILL TO BE ENTITLED AN ACT TO EXEMPT PASQUOTANK COUNTY FROM THE REQUIREMENTS OF ARTICLE 12 OF CHAPTER 160A OF THE GENERAL STATUTES AS TO THE LEASE OR SALE OF CERTAIN PROPERTY, is returned for concurrence in Senate amendment and placed on the Calendar for April 25.

Committee Substitute for **S.B. 237**, A BILL TO BE ENTITLED AN ACT TO REQUIRE EMPLOYERS TO PROVIDE MEDICAL, HOSPITAL, AND DENTAL INSURANCE COVERAGE INFORMATION

IN IV-D SUPPORT CASES, is read the first time and referred to the Committee on Commerce.

S.B. 291, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF ELECTRONIC MEANS FOR THE DOCKETING OF CIVIL JUDGMENTS AND THE MAKING OF ENTRIES IN JUDGMENT DOCKETS AND JUDGMENT AND DOCKET BOOKS, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 307**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NOTICE OF CANCELLATION OF MOTOR VEHICLE LIABILITY INSURANCE IS NOT REQUIRED IF A NEW POLICY IS ISSUED AT THE SAME TIME THE OLD POLICY IS TERMINATED OR CANCELLED, is read the first time and referred to the Committee on Commerce.

S.B. 349, A BILL TO BE ENTITLED AN ACT TO PERMIT THE SALE OF EASEMENTS TO FILL FOR LESS THAN FAIR MARKET VALUE, is read the first time and referred to the Committee on State Government.

S.B. 447, A BILL TO BE ENTITLED AN ACT TO PERMIT VEHICLES TRANSPORTING HEATING FUEL TO EXCEED LIMITS ON LIGHT-TRAFFIC ROADS, is read the first time and referred to the Committee on Transportation.

S.B. 460, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO ISSUE PROCLAMATIONS SUSPENDING OR EXTENDING THE HOOK-AND-LINE SEASON FOR STRIPED BASS FISHING, is read the first time and referred to the Committee on Agriculture.

S.B. 469, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ROCKINGHAM COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is read the first time and referred to the Committee on Finance.

S.B. 493, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PAY DATE FOR CERTAIN EMPLOYEES OF THE KINGS MOUNTAIN SCHOOLS, is read the first time and referred to the Committee on Local and Regional Government II.

CALENDAR

Action is taken on the following:

H.B. 624, A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITIES OF BURKE COUNTY AND THE MUNICIPALITIES THEREIN TO UNDERTAKE LOCAL DEVELOPMENT ACTIVITIES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 660, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATION OF TOWN OF NORTH

TOPSAIL BEACH OR ONSLOW COUNTY ORDINANCES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 668, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF SOUTHPORT TO PROVIDE FOR THE PLACEMENT OF THE POSITION OF TAX COLLECTOR UNDER THE SUPERVISION OF THE CITY MANAGER, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 678, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF BURLINGTON TO SELL SURPLUS PROPERTY TO THE RALPH SCOTT GROUP HOMES, INCORPORATED, BY PRIVATE SALE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 680, A BILL TO BE ENTITLED AN ACT TO EXEMPT BURKE COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE CONSTRUCTION OF A COUNTY DETENTION FACILITY.

Representative Fletcher calls the previous question on the passage of the bill and the call is sustained.

The bill passes its second reading.

On motion of Representative Fletcher, further consideration of the bill is postponed until April 25.

Committee Substitute for **S.B. 166, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF AGING, TO CHARGE FEES FOR IN-HOME AND COMMUNITY-BASED SERVICES,** passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Ethridge, Flaherty, Fletcher, Foster, Gardner, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hege, Hensley, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, R. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Lutz, McGee, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 95.

Voting in the negative: None.

Excused absences: Representatives Beard and Esposito - 2.

Committee Substitute for **H.B. 553**, A BILL TO BE ENTITLED AN ACT TO CREATE THE TOBACCO RESEARCH COMMISSION, AUTHORIZE A REFERENDUM OF TOBACCO GROWERS REGARDING ESTABLISHMENT OF A TOBACCO CHECKOFF FOR TOBACCO RESEARCH, AND TO MAKE CONFORMING CHANGES IN THE LAWS CONCERNING AGRICULTURAL RESEARCH.

On motion of Representative James, the bill is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

H.B. 395, A BILL TO BE ENTITLED AN ACT TO ALLOW SUMMARY JUDGMENT FOR ABSOLUTE DIVORCE IN CERTAIN CIRCUMSTANCES, passes its third reading, by electronic vote (96-2), and is ordered sent to the Senate.

Committee Substitute for **H.B. 355**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SUBPOENA POWER OF THE BOARD OF MEDICAL EXAMINERS, passes its second reading by electronic vote (102-9).

Representative Michaux objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 370**, A BILL TO BE ENTITLED AN ACT SPECIFYING PROCEDURES FOR FILING OF ANNEXATION DOCUMENTS WITH THE SECRETARY OF STATE, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 396**, A BILL TO BE ENTITLED AN ACT TO REMOVE OBSOLETE LANGUAGE FROM CHAPTER 50 OF THE GENERAL STATUTES AND TO MOVE CLARIFYING PROVISIONS TO A MORE APPROPRIATE PLACE IN CHAPTER 50, passes its second reading by electronic vote (110-0).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

House Committee Substitute for **S.B. 10**, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AND CLARIFYING AMENDMENTS TO CHAPTER 126 OF THE GENERAL STATUTES REGARDING THE STATE PERSONNEL SYSTEM.

On motion of Representative Fitch, consideration of the bill is postponed until April 25.

Committee Substitute for **H.B. 506**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW PROVIDING FOR THE PREVENTION OF LEAD POISONING IN CHILDREN, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 602, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IN FILLING A VACANCY ON THE LINCOLN COUNTY BOARD OF COMMISSIONERS, THE NOMINEE OF THE PARTY EXECUTIVE COMMITTEE OF THE VACATING MEMBER MUST BE APPOINTED.

Representative Kimsey offers Amendment No. 1.

Responding to inquiry by Representative Redwine, the Chair rules that Amendment No. 1 changes the title and is, therefore, out of order. Amendment No 1 is returned to Representative Kimsey.

The bill passes its second reading by electronic vote (109-0).

Representative Kimsey objects to the third reading. The bill remains on the Calendar.

Representative Kimsey withdraws his objection to the third reading.

Representative Kimsey moves that the rules be suspended in order to offer an amendment, which changes the title.

Representative Kimsey withdraws the motion to suspend the rules.

On motion of Representative Wicker, the bill is withdrawn from the Calendar and re-referred to the Committee on Local and Regional Government II.

H.B. 388, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SMALL DEBTS NEED NOT BE TURNED OVER TO THE ATTORNEY GENERAL FOR COLLECTION, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 417, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN ACTION UNDER THE CHAPTER OF LAW CONCERNING DIVORCE AND ALIMONY TO PROTECT THE PROPERTY OF AN INCOMPETENT SPOUSE BUT TO PREVENT THE ENTRY OF A DIVORCE DECREE ON BEHALF OF THE INCOMPETENT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative Kennedy, consideration of the bill is postponed until May 1.

H.B. 421, A BILL TO BE ENTITLED AN ACT TO CLARIFY G.S. 13-1, TO RESTORE THE CITIZENSHIP OF PERSONS CONVICTED IN ANOTHER STATE ON THE SAME BASIS AS PERSONS CONVICTED IN THIS STATE OR IN FEDERAL COURT, AND TO SIMPLIFY THE PROCEDURE FOR FILING THE CERTIFICATE OF RESTORATION AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (105-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

SUSPENSION OF RULES TO INTRODUCE BILL

On motion of Representative McLawhorn, Rule 31.1(b) is suspended by a two-thirds majority vote in order for a bill to be filed.

On motion of Representative Jack Hunt, seconded by Representative Grimmer, the House adjourns at 3:28 p.m. to reconvene April 25 at 1:30 p.m.

FIFTY-FIRST DAY

HOUSE OF REPRESENTATIVES

Thursday, April 25, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of April 24 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (72-0).

Leaves of absence are granted Representatives Bowie, Dickson, Esposito, Ethridge, Greenwood, Hardaway, Nesbitt, and Robinson for today.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

April 24, 1991

The Honorable Daniel T. Blue, Jr.
Speaker of the House
State Legislative Building
Raleigh, North Carolina 27611

Dear Mr. Speaker:

Pursuant to North Carolina General Statute 62-10, I hereby appoint the Honorable Allyson K. Duncan to the North Carolina Utilities Commission to serve a term beginning July 1, 1991 and expiring June 30, 1999. This appointment is subject to confirmation by the General Assembly, and I hereby submit her name for confirmation.

I have enclosed a copy of Judge Duncan's resume. Please feel free to contact her should you need any additional information, or to inform her of the date of any committee meeting she would need to attend concerning her confirmation.

Sincerely,
S/James G. Martin
Governor

On motion of the Chair, the letter is referred to the Committee on Public Utilities.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 592, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WASHINGTON TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report.

H.B. 933, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SALES TAX EXEMPTION FOR PRISON CONCESSION SALES, with a favorable report.

By Representative Fitch for the Committee on Legislative and Local Redistricting:

H.B. 637, A BILL TO BE ENTITLED AN ACT TO EXPAND AND REDISTRICT THE GUILFORD COUNTY BOARD OF COMMISSIONERS, with a favorable report.

On motion of Representative Fitch, the bill is placed on the Calendar for April 30.

H.B. 689, A BILL TO BE ENTITLED AN ACT TO REDISTRICT THE MADISON COUNTY BOARD OF EDUCATION, CHANGE THE MANNER OF ELECTION FROM PARTISAN TO NONPARTISAN, CHANGE THE TIME OF TAKING OFFICE FROM APRIL TO DECEMBER, AND PROVIDE FOR THE SEPARATE ELECTION OF THE CHAIRMAN, ALL SUBJECT TO A REFERENDUM, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 29. The original bill is placed on the Unfavorable Calendar.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Lilley for the Permanent Subcommittee on Ways and Means:

H.B. 23, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FUEL TAX STATUTES TO ENABLE NORTH CAROLINA TO ENTER THE INTERNATIONAL FUEL TAX AGREEMENT, reported to the Standing Committee on Finance with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

By Representative Warner for the Permanent Subcommittee on University Education and Affairs of the Standing Committee on Education, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 307, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING SCHOLARSHIPS FOR CHILDREN OF WAR VETERANS TO INCLUDE CHILDREN OF PERSIAN GULF VETERANS AND TO MAKE TECHNICAL CHANGES, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Dawkins for the Committee on Judiciary II:

H.B. 679, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN DRUG OFFENSES COMMITTED WITHIN ONE THOUSAND FEET OF A SCHOOL SHALL BE PUNISHABLE AS CLASS E FELONIES, with a favorable report.

H.B. 796, A BILL TO BE ENTITLED AN ACT TO EXTEND TO SAMPSON COUNTY LAWS THAT REQUIRE VACANCIES IN THE OFFICES OF SHERIFF, REGISTER OF DEEDS, AND COUNTY COMMISSIONER TO BE FILLED WITH THE NOMINEE OF THE POLITICAL PARTY EXECUTIVE COMMITTEE OF THE VACATING MEMBER, with a favorable report, as amended.

SUBCOMMITTEES REFERRALS

Representatives Hackney and Miller, Chairmen for the Standing Committee on Finance, refer:

H.B. 989, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SEPARATE PERMIT FOR HOTELS CHOOSING TO OFFER ALCOHOLIC BEVERAGE SALES FROM LOCKED CABINETS IN GUEST ROOMS, to the Permanent Subcommittee on Ways and Means.

H.B. 1038, A BILL TO BE ENTITLED AN ACT TO REQUIRE CONTINUING EDUCATION FOR LOCAL ENVIRONMENTAL HEALTH STAFF WHO CARRY OUT RULES ADOPTED BY THE COMMISSION FOR HEALTH SERVICES, AND TO SUPPORT THIS AND OTHER CRITICALLY NEEDED SEWAGE DISPOSAL AND RELATED ACTIVITIES BY IMPOSING A FEE ON SEPTIC TANKS SOLD FOR USE IN NORTH CAROLINA, to the Permanent Subcommittee on State Revenue.

Representative Barnes, Chairman for the Standing Committee on Education, refers:

H.J.R. 695, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS OF THOMAS W. D'ALONZO AND KENNETH R. HARRIS TO MEMBERSHIP ON THE STATE BOARD OF EDUCATION, to the Permanent Subcommittee on Pre-school, Elementary and Secondary Education.

H.B. 923, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCEDURES GOVERNING THE SELECTION OF NOMINEES

FOR ELECTION TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND THE TIME FOR HOLDING THE ELECTION, to the Permanent Subcommittee on University Education and Affairs.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Stewart for the Permanent Subcommittee on State Boards and Commissions:

H.B. 332, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW REGARDING THE GOVERNOR'S APPOINTMENTS TO THE GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES TO FEDERAL LAW, reported to the Standing Committee on State Government, with a favorable recommendation.

H.B. 346, A BILL TO BE ENTITLED AN ACT TO INCREASE FEES CHARGED BY THE BOARD OF PODIATRY EXAMINERS AND TO PROVIDE FOR TEMPORARY PODIATRY LICENSES, reported to the Standing Committee on State Government, with a favorable recommendation.

H.B. 552, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SUSPENSION OR REVOCATION OF PROFESSIONAL AND OCCUPATIONAL LICENSES OR CERTIFICATIONS OF A DEFENDANT CONVICTED OF A STATE OR FEDERAL DRUG OFFENSE, reported to the Standing Committee on State Government, with a favorable recommendation.

By Representative Barnhill for the Permanent Subcommittee on Health and Mental Health of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 218, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE COMMUNICABLE DISEASE LAW, with a favorable report.

H.B. 219, A BILL TO BE ENTITLED AN ACT TO REQUIRE A NEW PERMIT FOR RE-OPENED FOOD AND LODGING ESTABLISHMENTS, with a favorable report.

By Representative Beall for the Permanent Subcommittee on Forestry, Horticulture and Wildlife of the Standing Committee on Agriculture, with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 150, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR THE PRODUCTION AND SALE OF FALLOW DEER, with a favorable report.

On motion of Representative Beall, the bill is re-referred to the Committee on Finance.

SUBCOMMITTEE REFERRALS

Representative Stamey, Chairman for the Standing Committee on Transportation, refers:

H.B. 601, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE LEASING OF RAILROAD CORRIDORS BY THE DEPARTMENT OF TRANSPORTATION FOR INTERIM PURPOSES UNDER CERTAIN CIRCUMSTANCES, to the Permanent Subcommittee on Airports, Railways and Waterways.

H.B. 719, A BILL TO BE ENTITLED AN ACT TO GRANT TO MUNICIPALITIES CERTAIN POWERS AUTHORIZED BY SECTION 13 OF ARTICLE V OF THE CONSTITUTION OF NORTH CAROLINA, to the Permanent Subcommittee on Airports, Railways and Waterways.

H.B. 834, A BILL TO BE ENTITLED AN ACT TO CREATE A SAFE BOATING ADVISORY COMMITTEE, to the Permanent Subcommittee on Airports, Railways and Waterways.

H.B. 892, A BILL TO BE ENTITLED AN ACT TO ELIMINATE ORAL DRIVERS LICENSE TESTS, to the Permanent Subcommittee on Public Transportation.

H.B. 604, A BILL TO BE ENTITLED AN ACT TO INCREASE THE SURETY BOND TO BE SUBMITTED BY AN APPLICANT FOR A LICENSE AS A MOTOR VEHICLE DEALER, MANUFACTURER, DISTRIBUTION BRANCH, OR FACTORY BRANCH, to the Permanent Subcommittee on Public Transportation.

H.B. 658, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PERMANENT REGISTRATION PLATES REFLECTING THE MODEL YEAR OF A MOTOR VEHICLE, to the Permanent Subcommittee on Public Transportation.

H.B. 710, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PERMANENT RECORDING OF TITLES ISSUED MANUFACTURED HOMES AND MOBILE HOMES, to the Permanent Subcommittee on Highways.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Lineberry for the Permanent Subcommittee on Small Business of the Standing Committee on Economic Expansion, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 662, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW PROVIDING FOR THE DISPOSITION BY LAUNDRIES AND DRY CLEANERS OF UNCLAIMED GARMENTS, with a favorable report.

H.B. 855, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW REGARDING BENEFIT CHARGES TO EMPLOYER ACCOUNTS, with a favorable report.

RE-REFERRAL

On motion of Representative Fletcher, **H.B. 604**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE SURETY BOND TO BE

SUBMITTED BY AN APPLICANT FOR A LICENSE AS A MOTOR VEHICLE DEALER, MANUFACTURER, DISTRIBUTION BRANCH, OR FACTORY BRANCH, is withdrawn from the Permanent Subcommittee on Public Transportation and re-referred to the Committee on Judiciary III.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Kennedy for the Committee on Judiciary I:

H.B. 821, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE NATURAL DEATH ACT TO INCLUDE THE MEDICAL CONDITION OF PERSISTENT VEGETATIVE STATE, with a favorable report.

By Representative Michaux for the Committee on Courts, Justice, Constitutional Amendments and Referenda:

H.B. 295, A BILL TO BE ENTITLED AN ACT TO LOWER LIMITS ON CAMPAIGN CONTRIBUTIONS MADE BY POLITICAL COMMITTEES, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary III.

The committee substitute bill is re-referred to the Committee on Judiciary III. The original bill is placed on the Unfavorable Calendar.

H.B. 342, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A BOND REFERENDUM ON THE ISSUANCE OF THREE HUNDRED FIFTY-FIVE MILLION DOLLARS GENERAL OBLIGATION BONDS OF THE STATE, TO BE VOTED ON BY THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS, WITH ANY OTHER AVAILABLE FUNDS, FOR EDUCATION FACILITIES, MENTAL HEALTH FACILITIES, WATER AND WASTEWATER FACILITIES, AND SOLID WASTE DISPOSAL FACILITIES, without prejudice and recommendation that the bill be re-referred to the Committee on Finance.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Miller, Flaherty, Hensley, and Redwine:

H.J.R. 1130, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE BASIC CIVIL RIGHTS OF LAW ENFORCEMENT OFFICERS, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Grimmer:

H.B. 1131, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DEMOLITION ASPHALT MAY BE USED AS CLEAN FILL, is referred to the Committee on Environment.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

Committee Substitute for **H.B. 168**, A BILL TO BE ENTITLED AN ACT TO AMEND THE HOME HEALTH AGENCY LICENSURE ACT, is returned for concurrence in Senate amendment.

On motion of Representative Jeralds, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Jeralds, the House concurs in Senate amendment, by electronic vote (91-1), and the bill is ordered enrolled.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 260, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF TOBACCOVILLE, SUBJECT TO A REFERENDUM, TO AMEND THE CHARTER OF THE CITY OF KING, AND TO AUTHORIZE ENTRY INTO AND RECORDATION OF AN AGREEMENT, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 299, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF LEWISVILLE IN FORSYTH COUNTY, is read the first time and referred to the Committee on Local and Regional Government II.

Committee Substitute for **S.B. 417**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A UNIFORM PROCEDURE FOR THE SITING OF ELECTRIC TRANSMISSION LINES AS RECOMMENDED BY THE UTILITIES COMMISSION, is read the first time and referred to the Committee on Public Utilities.

S.B. 465, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE COMMUNITY PENALTIES PROGRAM FROM THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO THE ADMINISTRATIVE OFFICE OF THE COURTS, is read the first time and referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

Committee Substitute for **S.B. 479**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF SMITHFIELD TO INCLUDE THE JOHNSTON COUNTY COUNTRY CLUB, is read the first time and referred to the Committee on Local and Regional Government I.

S.J.R. 572, A JOINT RESOLUTION TO HONOR THE LIFE AND MEMORY OF RALPH HENDERSON SCOTT, FORMER MEMBER OF THE GENERAL ASSEMBLY, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 166, AN ACT TO REQUIRE THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF AGING, TO CHARGE FEES FOR IN-HOME AND COMMUNITY-BASED SERVICES. (CHAPTER 52)

S.B. 209, AN ACT TO CLARIFY THE ISSUANCE OF FICTITIOUS DRIVERS LICENSES AND REGISTRATION PLATES AND TO CREATE A CONFIDENTIAL REGISTRATION FILE. (CHAPTER 53)

H.B. 208, AN ACT TO ALLOW THE PAROLE COMMISSION TO REQUIRE PAROLEES TO CONTINUE PURSUING GENERAL EDUCATION DEVELOPMENT DEGREES AS A CONDITION OF PAROLE. (CHAPTER 54)

H.B. 273, AN ACT TO INCREASE THE PENALTIES FOR VIOLATION OF HENDERSON COUNTY'S OCCUPANCY TAX LAW. (CHAPTER 55)

PROCLAMATION

Representative Lilley is recognized and reads Proclamation by the Lenoir County Commissioners and the Mayor of the City of Kinston.

On motion of Representative Lilley, the Proclamation is ordered spread upon the Journal as follows:

April 26-28, 1991

RESOLUTION

HONORING THE 200TH ANNIVERSARY OF LENOIR COUNTY

WHEREAS, Lenoir County was formed in 1791 from a portion of Dobbs County and the county seat is the City of Kinston, which was given a Royal Charter in 1762; and

WHEREAS, Lenoir County was the home of Richard Caswell who was the first governor of North Carolina after the independence of our country. Governor Richard Caswell served six one-year terms as governor and is buried at the Caswell-Neuse State Park in Lenoir County; and

WHEREAS, Lenoir County is the home of many good citizens, good businesses and good industries; and

WHEREAS, Lenoir County is celebrating its 200th anniversary on April 26th, 27th and 28th, 1991 with the re-enactment of the inauguration of Governor Richard Caswell;

NOW THEREFORE, the citizens of Lenoir County, including the cities and towns therein, do hereby call attention to all citizens of North Carolina of this important celebration which will enhance the

consciousness of our rich and great heritage. We do hereby invite all citizens of North Carolina to join us for this grand celebration.

S/George W. Graham, Jr.

S/O. A. Ritch, Jr.

Chairman

Mayor

Lenoir County Commissioners

City of Kinston

CALENDAR

Action is taken on the following:

Senate Committee Substitute for House Committee Substitute for **H.B. 157, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO WITH RESPECT TO FAIR HOUSING.**

On motion of Representative Lineberry, consideration of the bill is postponed until April 30.

Committee Substitute for **H.B. 95, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 1079 OF THE 1984 SESSION LAWS TO AUTHORIZE CUMBERLAND COUNTY TO SELL INDUSTRIAL SITES IN ITS INDUSTRIAL PARK.**

On motion of Representative Beard, the House concurs in the Senate committee substitute, by electronic vote (87-0), and the bill is ordered enrolled.

H.B. 113, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF AYDEN TO DISPOSE OF CERTAIN PROPERTY BY PRIVATE NEGOTIATION AND SALE.

On motion of Representative Jones, the House concurs in the Senate amendment, by electronic vote (84-0), and the bill is ordered enrolled.

H.B. 206, A BILL TO BE ENTITLED AN ACT TO SPECIFY AND MAKE UNIFORM THROUGHOUT THE STATE THE MANNER OF FILLING VACANCIES IN THE OFFICE OF REGISTER OF DEEDS, AND TO CLARIFY THAT THE REGISTER OF DEEDS TERM IS FOUR YEARS IN ALL COUNTIES.

On motion of Representative Redwine, the House concurs in the Senate amendment, by electronic vote (81-0), and the bill is ordered enrolled.

H.B. 339, A BILL TO BE ENTITLED AN ACT TO EXEMPT PASQUOTANK COUNTY FROM THE REQUIREMENTS OF ARTICLE 12 OF CHAPTER 160A OF THE GENERAL STATUTES AS TO THE LEASE OR SALE OF CERTAIN PROPERTY.

On motion of Representative James, the House concurs in the Senate amendment, by electronic vote (89-0), and the bill is ordered enrolled.

SUBCOMMITTEE REFERRAL

Representative Hasty, Chairman for the Standing Committee on Economic Expansion, refers:

H.B. 1111, A BILL TO BE ENTITLED AN ACT TO REQUIRE PERSONS WHO ACCEPT USED GOODS ON CONSIGNMENT TO KEEP RECORDS OF THE CONSIGNED GOODS, to the Permanent Subcommittee on Small Business.

CALENDAR (continued)

H.B. 603, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGISTRATION OF LAND IN GRANVILLE COUNTY AND TO REQUIRE ANY PERSON HUNTING OR POSSESSING A FIRE-ARM OR BOW AND ARROW THAT IS READILY AVAILABLE FOR USE TO SECURE AN ENTRY PERMIT BEFORE ENTERING OR REMAINING ON REGISTERED LAND OR REMAINING ON ABUTTING PORTIONS OF HIGHWAY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dockham, Fitch, Flaherty, Fletcher, Fussell, Gamble, Gardner, Gottovi, Grady, Green, Grimmer, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Sam Hunt, Hurley, Isenhower, Jeralds, Jordan, Justus, Kerr, Kimsey, Lewis, Ligon, Lilley, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Privette, Ramsey, Redwine, Rhodes, Rogers, Russell, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilson, Withrow, and Woodard - 82.

Voting in the negative: None.

Excused absences: Representatives Bowie, Dickson, Esposito, Ethridge, Foster, Greenwood, Hardaway, Jarrell, Jeffus, Kahl, Kennedy, Nesbitt, and Robinson - 13.

H.B. 806, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE FEE FOR A WEAPON PERMIT IN CATAWBA COUNTY IS FIVE DOLLARS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnhill, Beall, Beard, Black, Bowen, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dockham, Fitch, Flaherty, Fletcher, Fussell, Gamble, Gardner, Gottovi, Grady, Green, Grimmer, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, Jeralds, Jordan, Justus, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McAllister, McGee, McLaughlin, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Pope, Ramsey, Redwine, Rhodes, Rogers, Russell, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 83.

Voting in the negative: None.

Excused absences: Representatives Bowie, Dickson, Esposito, Ethridge, Foster, Greenwood, Hardaway, Jarrell, Jeffus, Kahl, Kennedy, Nesbitt, and Robinson - 13.

H.B. 680, A BILL TO BE ENTITLED AN ACT TO EXEMPT BURKE COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE CONSTRUCTION OF A COUNTY DETENTION FACILITY, passes its third reading, by electronic vote (87-0), and is ordered sent to the Senate.

H.B. 634, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF OXFORD TO CONVEY CERTAIN PROPERTY FOR CONSTRUCTION OF A NEW FIRE DEPARTMENT BY LEASE-PURCHASE ARRANGEMENT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 672, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FILING PERIOD FOR THE CUMBERLAND COUNTY BOARD OF EDUCATION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 683, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WILMINGTON TO AUTHORIZE ZONING DENSITY BONUSES IN PROJECTS CONTAINING SPECIFIED AMOUNTS OF LOW AND MODERATE INCOME HOUSING, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 720, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CITY OF DURHAM'S FAIR HOUSING ORDINANCE TO COVER DISCRIMINATION BASED ON FAMILIAL STATUS.

On motion of Representative Michaux, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 721, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF DURHAM AND DURHAM COUNTY TO ENACT ORDINANCES THAT PROHIBIT ACTS OF DISCRIMINATION IN EMPLOYMENT AND PUBLIC ACCOMMODATIONS BASED ON RACE, COLOR, NATIONAL ORIGIN, RELIGION, SEX, HANDICAP, OR AGE.

On motion of Representative Michaux, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 737, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO IMPOSE CONDITIONS AND RESTRICTIONS ON THE SALE OF PROPERTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 766, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM THE REQUIREMENTS OF THE PUBLIC BIDDING LAWS THE CONTRACTS FOR AN ADDITION TO THE PRESENT JAIL FACILITY OF WILSON COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 722, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM RELATING TO DEVELOPMENT PLANS AND SITE PLANS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 747, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWNS OF MATTHEWS, MINT HILL, AND PINEVILLE IN MECKLENBURG COUNTY TO REGULATE IN CERTAIN EXTRA-TERRITORIAL AREAS.

On motion of Representative Black, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading.

On motion of Representative Black, further consideration of the bill is postponed until April 30.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Gist for the Committee on Local and Regional Government I:

H.B. 676, A BILL TO BE ENTITLED AN ACT CHANGING THE TIME NEWLY ELECTED MEMBERS OF THE HALIFAX COUNTY BOARD OF EDUCATION SHALL QUALIFY, with a favorable report.

CALENDAR (continued)

S.B. 148, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE PRODUCTION OF CROPS, FRUITS, VEGETABLES, ORNAMENTAL AND FLOWERING PLANTS, ETC., IS A BONA FIDE FARM PURPOSE IN THE ZONING STATUTES.

On motion of Representative Mercer, Committee Amendment No. 1 is adopted by electronic vote (92-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Beall, Beard, Black, Bowen, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dockham, Easterling, Flaherty, Fletcher, Foster, Fussell, Gardner, Gist, Grady, Green, Hackney, Hasty, Hege, Hightower, Holmes, Howard, Huffman, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jeffus, Jeralds, Jordan, Justus, Kahl, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 91.

Voting in the negative: Representatives Gottovi and Grimmer - 2.

Excused absences: Representatives Barnhill, Bowie, Dickson, Espoito, Ethridge, Greenwood, Hardaway, Jarrell, Kennedy, Lutz, Nesbitt, and Robinson - 12.

Committee Substitute for **H.B. 314**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF PROGRAMS TO ADDRESS THE NURSING SHORTAGE IN NORTH CAROLINA.

On motion of Representative Colton, consideration of the bill is postponed until April 29.

Committee Substitute for **H.B. 355**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SUBPOENA POWER OF THE BOARD OF MEDICAL EXAMINERS, passes its third reading, by electronic vote (95-1), and is ordered sent to the Senate.

Committee Substitute for **H.B. 396**, A BILL TO BE ENTITLED AN ACT TO REMOVE OBSOLETE LANGUAGE FROM CHAPTER 50 OF THE GENERAL STATUTES AND TO MOVE CLARIFYING PROVISIONS TO A MORE APPROPRIATE PLACE IN CHAPTER 50, passes its third reading, by electronic vote (94-0), and is ordered sent to the Senate.

H.B. 211, A BILL TO BE ENTITLED AN ACT TO ALLOW DEMOLITION OF DWELLINGS UNDER G.S. 160A-443 FOLLOWING AN ORDER OF THE PUBLIC OFFICER, passes its second reading by electronic vote (93-1).

Representative Pope objects to the third reading. The bill remains on the Calendar.

House Committee Substitute for **S.B. 10**, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AND

CLARIFYING AMENDMENTS TO CHAPTER 126 OF THE GENERAL STATUTES REGARDING THE STATE PERSONNEL SYSTEM, passes its second reading, by electronic vote (91-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Committee Substitute for **H.B. 308**, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL GOVERNMENTAL UNITS TO CONTRACT WITH FINANCIAL INSTITUTIONS FOR RECEIPT OF PAYMENTS OF DELINQUENT PROPERTY TAXES AND INTEREST, passes its second reading, by electronic vote (86-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 478**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE TYPE OF DEVICE COVERED BY THE AMUSEMENT DEVICE SAFETY ACT.

On motion of Representative Gottovi, consideration of the bill is postponed until April 30.

H.J.R. 743, A JOINT RESOLUTION SETTING THE DATE FOR THE SENATE AND HOUSE OF REPRESENTATIVES TO ELECT MEMBERS OF THE STATE BOARD OF COMMUNITY COLLEGES, passes its second reading, by electronic vote (90-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

S.B. 87, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE GOVERNOR TO APPOINT A "COMPOSER-LAUREATE FOR THE STATE OF NORTH CAROLINA", passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H.B. 569, A BILL TO BE ENTITLED AN ACT TO REGULATE PERSONNEL RECORDS OF COMMUNITY COLLEGE SYSTEM EMPLOYEES AND RELATED MATTERS.

Representative Black offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (87-4).

Representative Fitch objects to the third reading. The bill remains on the Calendar.

On motion of Representative Black, the bill is withdrawn from the Calendar for April 26 and placed on the Calendar for April 30.

SUSPENSION OF RULES TO PLACE ON CALENDAR

On motion of Representative Diamont, the rules are suspended and **H.B. 553**, A BILL TO BE ENTITLED AN ACT TO CREATE THE

TOBACCO RESEARCH COMMISSION, AUTHORIZE A REFERENDUM OF TOBACCO GROWERS REGARDING ESTABLISHMENT OF A TOBACCO CHECKOFF FOR TOBACCO RESEARCH, AND TO MAKE CONFORMING CHANGES IN THE LAWS CONCERNING AGRICULTURAL RESEARCH, is withdrawn from the Committee on Appropriations and placed on the Calendar for immediate consideration.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Beall, Beard, Black, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dockham, Easterling, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Hackney, Hasty, Hightower, Holmes, Holt, Huffman, Judy Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, and Woodard - 94.

Voting in the negative: Representatives Hege and Howard - 2.

Excused absences: Representatives Barnhill, Bowie, Dickson, Eposito, Ethridge, Greenwood, Hardaway, Kennedy, Lutz, Nesbitt, and Robinson - 11.

On motion of Representative Stamey, seconded by Representative Dockham, the House adjourns at 3:21 p.m. to reconvene April 26 at 11:00 a.m.

FIFTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Friday, April 26, 1991

The House meets at 11:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Fussell.

Representative Hackney for the Committee on Rules, Appointments and Calendar reports the Journal of April 25 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (75-0).

Leaves of absence are granted Representatives Brawley, Brown, Brubaker, Buchanan, Dawkins, Dial, Dickson, Dockham, Fletcher,

Gardner, Gist, Greenwood, Hightower, Jack Hunt, Sam Hunt, Kimsey, Lilley, Lutz, Nesbitt, Robinson, Stamey, Tallent, and Wood for today.

SUBCOMMITTEE REFERRALS

Representative James, Chairman for the Standing Committee on Agriculture, refers:

H.B. 1105, A BILL TO BE ENTITLED AN ACT TO REQUIRE A LICENSE TO SELL FISH TAKEN FROM COASTAL FISHING WATERS, to the Permanent Subcommittee on Aquaculture and Marine Fisheries.

S.B. 460, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO ISSUE PROCLAMATIONS SUSPENDING OR EXTENDING THE HOOK-AND-LINE SEASON FOR STRIPED BASS FISHING, to the Permanent Subcommittee on Aquaculture and Marine Fisheries.

H.B. 978, A BILL TO BE ENTITLED AN ACT TO PROTECT AGRICULTURAL OPERATIONS FROM NUISANCE SUITS UNDER CERTAIN CIRCUMSTANCES, to the Permanent Subcommittee on Forestry, Horticulture and Wildlife.

H.B. 1055, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL SERVICE STATIONS TO PROVIDE FREE AIR SERVICES AND BATHROOMS, to the Permanent Subcommittee on Forestry, Horticulture and Wildlife.

H.B. 874, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE LAW REGARDING THE TAKING UP OF STRAY LIVESTOCK AND TO CONFORM THAT LAW WITH THE LAW REGARDING THE TAKING UP OF LIVESTOCK RUNNING AT LARGE, to the Permanent Subcommittee on Crops and Animal Husbandry.

H.B. 1061, A BILL TO BE ENTITLED AN ACT TO REQUIRE BONDS OF DISTRIBUTORS AND SUBDISTRIBUTORS OF MILK, to the Permanent Subcommittee on Crops and Animal Husbandry.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative R. Hunter for the Committee on Judiciary III:

H.B. 398, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE JUDGES TO MAKE INTERIM ALLOCATIONS OF ASSETS PENDING A FINAL EQUITABLE DISTRIBUTION JUDGMENT, with a favorable report.

H.B. 1044, A BILL TO BE ENTITLED AN ACT TO ALLOW THE HOUSING OF SAFEKEEPERS IN THE SAME INPATIENT MEDICAL AND MENTAL HEALTH FACILITIES WITH CONVICTED PRISONERS, with a favorable report.

By Representative Greenwood for the Committee on Pensions and Retirement:

H.B. 30, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATUTES GOVERNING FIRE RELIEF FUNDS, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 320, A BILL TO BE ENTITLED AN ACT TO ALLOW ADDITIONAL RETROACTIVE MEMBERSHIP IN THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 482, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAWS ON THIRD PARTY ADMINISTRATORS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 30. The original bill is placed on the Unfavorable Calendar.

H.B. 1047, A BILL TO BE ENTITLED AN ACT TO ELIMINATE DOUBLE TAXATION OF ALARM SYSTEMS INSTALLERS LICENSED BY THE ALARM SYSTEMS LICENSING BOARD, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 30. The original bill is placed on the Unfavorable Calendar.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Warner for the Permanent Subcommittee on University Education and Affairs of the Standing Committee on Education, with approval of the standing committee chairman for report to be made directly to the floor of the House:

H.B. 151, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE HIGHER EDUCATION IN NORTH CAROLINA, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 30. The original bill is placed on the Unfavorable Calendar.

H.B. 923, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCEDURES GOVERNING THE SELECTION OF NOMINEES FOR ELECTION TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND THE TIME FOR HOLDING THE ELECTION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 30. The original bill is placed on the Unfavorable Calendar.

By Representative Wilmoth for the Permanent Subcommittee on State Parks, Facilities and Property of the Standing Committee on State Government, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 186, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN DESIGNATED STATE PUBLICATIONS BE PRINTED ON ALKALINE PAPER, with a favorable report, as amended.

By Representative Wilmoth for the Permanent Subcommittee on State Parks, Facilities and Property:

H.B. 357, A BILL TO BE ENTITLED AN ACT TO SPECIFY THE POWERS OF THE BOARD OF MEDICAL EXAMINERS REGARDING REAL PROPERTY, reported to the Standing Committee on State Government, with a favorable recommendation, as amended.

By Representative Wilmoth for the Permanent Subcommittee on State Parks, Facilities and Property of the Standing Committee on State Government, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 559, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION IN THE LAW REGARDING CERTIFICATES FOR FIRE PREVENTION INSPECTORS, with a favorable report.

By Representative Wilmoth for the Permanent Subcommittee on State Parks, Facilities and Property:

H.B. 714, A BILL TO BE ENTITLED AN ACT TO PERMIT VOLUNTEER FIRE DEPARTMENTS AND RESCUE SQUADS TO PURCHASE MATERIALS AND SUPPLIES UNDER STATE CONTRACT, reported to the Standing Committee on State Government, with a favorable recommendation, as amended.

SUBCOMMITTEE REFERRAL

Representatives Hackney and Miller, Chairmen for the Standing Committee on Finance, refer:

H.B. 888, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA AQUARIUMS COMMISSION AND AQUARIUM ENTRANCE FEES, to the Permanent Subcommittee on Ways and Means.

RE-REFERRAL

On motion of Representative Hackney, Chairman for the Standing Committee on Finance, **H.B. 989, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SEPARATE PERMIT FOR HOTELS CHOOSING TO OFFER ALCOHOLIC BEVERAGE SALES FROM LOCKED CABINETS IN GUEST ROOMS,** is withdrawn from the Permanent

Subcommittee on Ways and Means and referred to the Permanent Subcommittee on Local and Regional Government Revenue.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 965, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADVANCEMENT OF FUNDS FOR REVENUE BOND PROJECTS BY POLITICAL SUBDIVISIONS TO THEIR CONSTITUTED AUTHORITIES; TO AUTHORIZE THE REPAYMENT OF SUCH ADVANCES FROM REVENUE BOND PROCEEDS; AND TO PROVIDE FOR THE APPOINTMENT OF COUNTY AND CITY OFFICIALS TO GOVERNING BOARDS OF AUTHORITIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for April 30. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives McLawhorn, Jones, and Rogers:

H.B. 1132, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A SINGLE COUNTY TO ORGANIZE A WATER AND SEWER AUTHORITY PURSUANT TO CHAPTER 162A OF THE GENERAL STATUTES, is referred to the Committee on Public Utilities.

By Representative Lineberry:

H.B. 1133, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SPECIAL ADDITIONAL REIMBURSEMENT TO LOCAL GOVERNMENTS FOR REVENUE LOST DUE TO THE REPEAL OF THE PROPERTY TAX ON INVENTORY AND TO APPROPRIATE FUNDS TO THE LOCAL GOVERNMENT TAX REIMBURSEMENT RESERVE TO PAY FOR THE ADDITIONAL REIMBURSEMENT, is referred to the Committee on Finance.

By Representative Chapin:

H.B. 1134, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF TRANSPORTATION FOR PRINTING ADDITIONAL NORTH CAROLINA COASTAL BOATING GUIDES, is referred to the Committee on Appropriations.

By Representative Cunningham:

H.B. 1135, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE WEST CHARLOTTE BUSINESS INCUBATOR TO TRAIN AND PROMOTE MINORITY-OWNED

BUSINESSES IN THE WEST TRADE - BEATTIES FORD ROAD CORRIDOR, is referred to the Committee on Appropriations.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

S.B. 829, A BILL TO BE ENTITLED AN ACT CONCERNING THE STATE BOARD OF COMMUNITY COLLEGES, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 8, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE HIGHWAY TRUST FUND AND TO MAKE TECHNICAL CHANGES TO THE LAWS AFFECTED BY THE HIGHWAY TRUST FUND, is returned for concurrence in three Senate amendments and placed on the Calendar for April 29.

Committee Substitute for **S.B. 80, A BILL TO BE ENTITLED AN ACT TO AMEND THE HOME HEALTH AGENCY LICENSURE ACT**, is read the first time and referred to the Committee on Human Resources.

S.B. 337, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION IN THE LAW REGARDING CERTIFICATES FOR FIRE PREVENTION INSPECTORS, is read the first time and referred to the Committee on Public Employees.

S.B. 392, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE TIME PERIOD FOR RENOUNCING A FUTURE INTEREST UNDER G. S. 31B-2 MAY DIFFER FROM THE TIME PERIOD FOR A QUALIFIED DISCLAIMER FOR FEDERAL ESTATE TAX PURPOSES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 395, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE TERMINATION OF INEFFICIENT SMALL TRUSTS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION**, is read the first time and referred to the Committee on Judiciary II.

S.B. 401, A BILL TO BE ENTITLED AN ACT TO ALLOW THE EMPLOYMENT SECURITY COMMISSION TO SHARE CERTAIN INFORMATION WITH THE STATE CONTROLLER, is read the first time and referred to the Committee on Economic Expansion.

S.B. 429, A BILL TO BE ENTITLED AN ACT TO AMEND THE UNEMPLOYMENT INSURANCE LAW PERTAINING TO HEARINGS, is read the first time and referred to the Committee on Economic Expansion.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 745**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A GRACE PERIOD FOR MILITARY PERSONNEL TO LIST AND PAY PROPERTY TAXES AFTER DEPLOYMENT OR ACTIVE DUTY.

On motion of Representative Colton, consideration of the bill is postponed until April 29.

H.B. 603, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGISTRATION OF LAND IN GRANVILLE COUNTY AND TO REQUIRE ANY PERSON HUNTING OR POSSESSING A FIREARM OR BOW AND ARROW THAT IS READILY AVAILABLE FOR USE TO SECURE AN ENTRY PERMIT BEFORE ENTERING OR REMAINING ON REGISTERED LAND OR REMAINING ON ABUTTING PORTIONS OF HIGHWAY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Chapin, Church, Colton, N. J. Crawford, Creech, Culp, Cunningham, Decker, DeVane, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gottovi, Grady, Gray, Green, Grimmer, Hackney, Hardaway, Hege, Hensley, Holmes, Holt, Howard, Huffman, Judy Hunt, Hurley, Isenhower, James, Jarrell, Jeralds, Jones, Jordan, Justus, Kahl, Lewis, Ligon, Loflin, Luebke, McAllister, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Redwine, Rhine, Rogers, Russell, Stewart, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, and Woodard - 80.

Voting in the negative: None.

Excused absences: Representatives Brawley, Brown, Brubaker, Buchanan, Dawkins, Dial, Dickson, Dockham, Fletcher, Gardner, Gist, Greenwood, Hightower, Jack Hunt, Sam Hunt, Kimsey, Lilley, Lutz, Nesbitt, Robinson, Stamey, Tallent, and Wood - 23.

H.B. 806, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE FEE FOR A WEAPON PERMIT IN CATAWBA COUNTY IS FIVE DOLLARS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Chapin, Church, Colton, N. J. Crawford, Creech, Culp, Cunningham, Decker, DeVane, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gottovi, Grady, Gray, Green, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Holmes, Holt, Howard, Huffman, Judy Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, Jarrell, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lewis, Ligon, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller,

Morgan, Nye, Oldham, Payne, Pope, Privette, Redwine, Rhyne, Rogers, Russell, Stewart, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, and Woodard - 84.

Voting in the negative: None.

Excused absences: Representatives Brawley, Brown, Brubaker, Buchanan, Dawkins, Dial, Dickson, Dockham, Fletcher, Gardner, Gist, Greenwood, Hightower, Jack Hunt, Sam Hunt, Kimsey, Lilley, Lutz, Nesbitt, Robinson, Stamey, Tallent, and Wood - 23.

H.B. 592, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WASHINGTON TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Decker, DeVane, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gottovi, Grady, Gray, Green, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Holmes, Holt, Howard, Huffman, Judy Hunt, H. Hunter, Hurley, James, Jarrell, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Redwine, Rhyne, Rogers, Russell, Stewart, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, and Woodard - 81.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Brawley, Brown, Brubaker, Buchanan, N. J. Crawford, Dawkins, Dial, Dickson, Dockham, Fletcher, Gardner, Gist, Greenwood, Hightower, Jack Hunt, Sam Hunt, Kimsey, Lilley, Lutz, Nesbitt, Robinson, Stamey, Tallent, and Wood - 24.

Committee Substitute for H.B. 659, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING ON, FROM, OR ACROSS THE RIGHT-OF-WAY OF PUBLIC ROADS OR HIGHWAYS IN ONSLOW COUNTY AND TO CHANGE THE LAW REGARDING TRESPASSING ON POSTED LAND IN ONSLOW COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 676, A BILL TO BE ENTITLED AN ACT CHANGING THE TIME NEWLY ELECTED MEMBERS OF THE HALIFAX COUNTY BOARD OF EDUCATION SHALL QUALIFY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H.B. 553, A BILL TO BE ENTITLED AN ACT TO CREATE THE TOBACCO RESEARCH COMMISSION, AUTHORIZE A REFERENDUM OF TOBACCO GROWERS

REGARDING ESTABLISHMENT OF A TOBACCO CHECKOFF FOR TOBACCO RESEARCH, AND TO MAKE CONFORMING CHANGES IN THE LAWS CONCERNING AGRICULTURAL RESEARCH.

Representative Mavretic moves that consideration of the bill on its third reading be postponed until April 30.

A division having been called, the motion to postpone consideration fails by electronic vote (39-47).

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Chapin, Church, J. W. Crawford, Creech, Culp, Cunningham, Decker, DeVane, Diamont, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gamble, Gottovi, Grady, Gray, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Holmes, Holt, Howard, Huffman, Judy Hunt, H. Hunter, R. Hunter, Hurley, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Ligon, Loflin, Luebke, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhyne, Rogers, Russell, Stewart, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, and Withrow - 83.

Voting in the negative: Representatives Lewis, Lineberry, McAllister, Mavretic, and Payne - 5.

Excused absences: Representatives Brawley, Brown, Brubaker, Buchanan, N. J. Crawford, Dawkins, Dial, Dickson, Dockham, Fletcher, Gardner, Gist, Green, Greenwood, Hightower, Jack Hunt, Sam Hunt, Kimsey, Lilley, Lutz, Nesbitt, Robinson, Stamey, Tallent, and Wood - 25.

REPRESENTATIVE COLTON, SPEAKER PRO TEMPORE, PRESIDING.

S.B. 148, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE PRODUCTION OF CROPS, FRUITS, VEGETABLES, ORNAMENTAL AND FLOWERING PLANTS, ETC., IS A BONA FIDE FARM PURPOSE IN THE ZONING STATUTES.

On motion of Representative Hackney, consideration of the bill is postponed until April 30.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Jeralds for the Committee on Human Resources:

H.B. 82, A BILL TO BE ENTITLED AN ACT TO AMEND THE BEDDING SANITATION LAW, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H.B. 452, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON ANNUAL FEES CHARGED BY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO SUPPORT PUBLIC HEALTH PROGRAMS, AND TO EXEMPT NUTRITION PROGRAMS FOR THE ELDERLY FROM SUCH FEES, with a favorable report and recommendation that the bill be referred to the Committee on Finance.

S.B. 161, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE DEPARTMENT OF HUMAN RESOURCES COMPLETE STAFF REVIEW OF LOCAL NEGATIVE ACTIONS WITHIN SIXTY DAYS, with a favorable report.

SUBCOMMITTEE REFERRALS

Representative Jeralds, Chairman for the Standing Committee on Human Resources, refers:

H.B. 860, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE SOCIAL SERVICES COMMISSION ADOPT RULES SETTING STATE/COUNTY SPECIAL ASSISTANCE ELIGIBILITY FOR DOMICILIARY CARE TO CORRESPOND WITH THE RULES DETERMINING FEDERAL MEDICAID ELIGIBILITY, to the Permanent Subcommittee on Aging.

H.B. 970, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT FOR PHYSICIANS TO OBTAIN A PHARMACY PERMIT, to the Permanent Subcommittee on Aging.

H.B. 971, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT PRESCRIPTION DRUG LABELS CONTAIN THE EXPIRATION DATE OF THE MEDICATION, to the Permanent Subcommittee on Aging.

H.B. 408, A BILL TO BE ENTITLED AN ACT TO AMEND THE CERTIFICATE OF NEED LAW TO IMPROVE THE ABILITY TO PLAN FOR CHEMICAL DEPENDENCY TREATMENT BEDS AND TO MAKE CLEAR THAT THE STATE MEDICAL FACILITIES PLAN LIMITS THE NUMBER OF BEDS OR FACILITIES THAT MAY BE APPROVED, to the Permanent Subcommittee on Children, Youth and Families.

H.B. 890, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NEWBORN SCREENING PROGRAM WITHIN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, to the Permanent Subcommittee on Children, Youth and Families.

H.B. 951, A BILL TO BE ENTITLED AN ACT TO REQUIRE A LANDLORD TO NOTIFY THE COUNTY DEPARTMENT OF SOCIAL SERVICES BEFORE FILING AN ACTION FOR SUMMARY EJECTMENT, to the Permanent Subcommittee on Children, Youth and Families.

H.B. 956, A BILL TO BE ENTITLED AN ACT TO BAN CORPORAL PUNISHMENT IN DAY CARE, to the Permanent Subcommittee on Children, Youth and Families.

H.B. 1062, A BILL TO BE ENTITLED AN ACT TO PHASE IN CHANGES TO STAFF-CHILD RATIOS AND GROUP SIZES IN CHILD DAY CARE FACILITIES, to the Permanent Subcommittee on Children, Youth and Families.

H.B. 627, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE APPOINTMENT OF PUBLIC MEMBERS TO THE HEALTH SERVICES COMMISSION, to the Permanent Subcommittee on Health and Mental Health.

H.B. 673, A BILL TO BE ENTITLED AN ACT TO CORRECT A TYPOGRAPHICAL ERROR IN THE LAW PROVIDING FOR AN EXEMPTION FROM THE DEFINITION OF THE PRACTICE OF DENTISTRY FOR SUPERVISED NURSE ANESTHETISTS INVOLVED IN THE ADMINISTRATION OF ANESTHESIA, to the Permanent Subcommittee on Health and Mental Health.

H.B. 724, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW PERTAINING TO IMMUNIZATION REQUIREMENTS, to the Permanent Subcommittee on Health and Mental Health.

H.B. 880, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MANDATORY CERTIFICATION OF CLINICAL SOCIAL WORKERS, to the Permanent Subcommittee on Health and Mental Health.

H.B. 1010, A BILL TO BE ENTITLED AN ACT TO LICENSE WHOLESALE DRUG DISTRIBUTORS, to the Permanent Subcommittee on Health and Mental Health.

CALENDAR (continued)

Committee Substitute for **H.B. 530, A BILL TO BE ENTITLED AN ACT MAKING VARIOUS AMENDMENTS TO CHAPTER 85B OF THE GENERAL STATUTES RELATING TO AUCTIONS AND AUCTIONEERS,** passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Chapin, Church, Creech, Culp, Cunningham, Decker, DeVane, Diamont, Easterling, Esposito, Flaherty, Foster, Gottovi, Grady, Hackney, Hardaway, Hasty, Hege, Hensley, Holt, Howard, Huffman, H. Hunter, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lewis, Lineberry, Loflin, Luebke, McAllister, McGee, McLaughlin, Mavretic, Mercer, Michaux, Morgan, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhyne, Rogers, Russell, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, and Woodard - 72.

Voting in the negative: None.

Excused absences: Representatives Brawley, Brown, Brubaker, Buchanan, N. J. Crawford, Dawkins, Dial, Dickson, Dockham, Fletcher, Gamble, Gardner, Gist, Green, Greenwood, Hightower, Jack Hunt, Sam Hunt, Kimsey, Lilley, Lutz, Nesbitt, Robinson, Stamey, Tallent, and Wood - 26.

H.B. 933, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SALES TAX EXEMPTION FOR PRISON CONCESSION SALES,

passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Chapin, Church, Creech, Culp, Cunningham, Decker, DeVane, Diamont, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Gottovi, Grady, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Holt, Howard, Huffman, Judy Hunt, H. Hunter, Hurley, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lewis, Lineberry, Loflin, Luebke, McAllister, McGee, McLaughlin, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rogers, Russell, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, and Woodard - 77.

Voting in the negative: Representative Rhyne.

Excused absences: Representatives Brawley, Brown, Brubaker, Buchanan, N. J. Crawford, Dawkins, Dial, Dickson, Dockham, Fletcher, Gamble, Gardner, Gist, Green, Greenwood, Hightower, Jack Hunt, Sam Hunt, Kimsey, Lilley, Lutz, Nesbitt, Robinson, Stamey, Tallent, and Wood - 26.

H.B. 211, A BILL TO BE ENTITLED AN ACT TO ALLOW DEMOLITION OF DWELLINGS UNDER G.S. 160A-443 FOLLOWING AN ORDER OF THE PUBLIC OFFICER, passes its third reading, by electronic vote (70-0), and is ordered sent to the Senate.

Committee Substitute for H.B. 309, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO CHAPTER 84 OF THE GENERAL STATUTES RELATING TO OUT-OF-STATE ATTORNEYS, PREPAID LEGAL SERVICES, DEPOSITS OF THE STATE BAR, BOARD OF LAW EXAMINERS RECORDS, AND ATTORNEY DISCIPLINE AND DISBARMENT.

On motion of Representative Beall, consideration of the bill is postponed until April 29.

Committee Substitute for H.B. 148, A BILL TO BE ENTITLED AN ACT TO INCREASE STATE EFFORT TO PREVENT DROPPING OUT OF SCHOOL BEFORE GRADUATION.

Representative J. W. Crawford offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (63-3).

Representative Wicker objects to the third reading. The bill remains on the Calendar.

H.B. 679, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN DRUG OFFENSES COMMITTED WITHIN ONE THOUSAND FEET OF A SCHOOL SHALL BE PUNISHABLE AS CLASS E FELONIES, passes its second reading, by electronic vote (70-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 796, A BILL TO BE ENTITLED AN ACT TO EXTEND TO SAMPSON COUNTY LAWS THAT REQUIRE VACANCIES IN THE OFFICES OF SHERIFF, REGISTER OF DEEDS, AND COUNTY COMMISSIONER TO BE FILLED WITH THE NOMINEE OF THE POLITICAL PARTY EXECUTIVE COMMITTEE OF THE VACATING MEMBER.

On motion of Representative Bowen, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (71-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 218, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE COMMUNICABLE DISEASE LAW, passes its second reading, by electronic vote (69-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 219, A BILL TO BE ENTITLED AN ACT TO REQUIRE A NEW PERMIT FOR RE-OPENED FOOD AND LODGING ESTABLISHMENTS, passes its second reading, by electronic vote (66-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 662, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW PROVIDING FOR THE DISPOSITION BY LAUNDRIES AND DRY CLEANERS OF UNCLAIMED GARMENTS, passes its second reading, by electronic vote (68-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

SPEAKER BLUE PRESIDING.

H.B. 855, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW REGARDING BENEFIT CHARGES TO EMPLOYER ACCOUNTS, passes its second reading, by electronic vote (67-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 821, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE NATURAL DEATH ACT TO INCLUDE THE MEDICAL CONDITION OF PERSISTENT VEGETATIVE STATE, passes its second reading by electronic vote (71-1).

Representative Pope objects to the third reading. The bill remains on the Calendar.

Representative Decker moves that **H.B. 573, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE ALL OF THE SCHOOL ADMINISTRATIVE UNITS IN GUILFORD COUNTY OR TO PROVIDE FOR THE TWO CITY SCHOOL ADMINISTRATIVE UNITS IN THAT COUNTY TO HAVE BOUNDARIES COTERMINOUS WITH THE CITIES, SUBJECT TO A REFERENDUM**, be withdrawn from the Calendar for April 29 and placed on the Calendar for May 1.

This motion carries by electronic vote (52-18). The Speaker rules this is a two-thirds majority vote.

On motion of Representative Hackney, seconded by Representative Wicker, the House adjourns at 1:34 p.m. to reconvene Monday, April 29, 1991 at 7:00 p.m.

FIFTY-THIRD DAY

HOUSE OF REPRESENTATIVES

Monday, April 29, 1991

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Privette.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of April 26 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Beard, Decker, DeVane, Greenwood, Lutz, Michaux, and Wood for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Kennedy for the Committee on Judiciary I:

H.B. 442, A BILL TO BE ENTITLED AN ACT TO REQUIRE NOTIFICATION TO THE DISTRICT ATTORNEY, THE VICTIM, THE VICTIM'S FAMILY, AND THE ARRESTING LAW ENFORCEMENT AGENCY WHENEVER A PRISONER IS BEING CONSIDERED FOR PAROLE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 1. The original bill is placed on the Unfavorable Calendar.

By Representative Dawkins for the Committee on Judiciary II:

H.B. 204, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SOCIAL SERVICES COMMISSION TO ADOPT RULES PERTAINING TO THE EDUCATION REQUIREMENTS FOR DOMICILIARY HOMES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 1. The original bill is placed on the Unfavorable Calendar.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Rogers for the Permanent Subcommittee on Pre-School, Elementary and Secondary Education of the Standing Committee on Education, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.J.R. 695, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS OF THOMAS W. D'ALONZO AND KENNETH R. HARRIS TO MEMBERSHIP ON THE STATE BOARD OF EDUCATION, with a favorable report.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Hasty for the Committee on Economic Expansion:

H.B. 5, A BILL TO BE ENTITLED AN ACT TO RAISE THE MINIMUM WAGE AND TO AUTHORIZE A TRAINING WAGE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 1. The original bill is placed on the Unfavorable Calendar.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative J. W. Crawford for the Permanent Subcommittee on Water, Air and Soil of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 344, A BILL TO BE ENTITLED AN ACT TO REPEAL G.S. 143-215.1(b1), SUCH THAT FILTER BACKWASH DISCHARGES FROM POOLS AND SPAS WILL BE SUBJECT TO THE SAME PERMIT REQUIREMENTS AS OTHER DISCHARGES, IN ORDER TO REMOVE A PROVISION OF STATE LAW THAT THE U.S. ENVIRONMENTAL PROTECTION AGENCY HAS NOTED IS PRE-EMPTED BY FEDERAL LAW, with a favorable report as to committee substitute bill, which changes title, unfavorable as to original bill.

The committee substitute bill is place on the Calendar for May 1. The original bill is placed on the Unfavorable Calendar.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Stamey for the Committee on Transportation:

H.B. 581, A BILL TO BE ENTITLED AN ACT TO CHANGE THE GENERAL DRIVERS LICENSE RENEWAL CYCLE FROM FOUR YEARS TO FIVE YEARS AND TO MAKE UNIFORM THE REQUIREMENTS FOR OBTAINING A DRIVERS LICENSE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

SUBCOMMITTEE REFERRALS

Representative Hasty, Chairman for the Standing Committee on Economic Expansion, refers:

S.B. 401, A BILL TO BE ENTITLED AN ACT TO ALLOW THE EMPLOYMENT SECURITY COMMISSION TO SHARE CERTAIN INFORMATION WITH THE STATE CONTROLLER, to the Permanent Subcommittee on Labor Relations and Employment.

S.B. 429, A BILL TO BE ENTITLED AN ACT TO AMEND THE UNEMPLOYMENT INSURANCE LAW PERTAINING TO HEARINGS, to the Permanent Subcommittee on Labor Relations and Employment.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Stewart for the Permanent Subcommittee on State Boards and Commissions:

H.B. 57, A BILL TO BE ENTITLED AN ACT TO CREATE A RAILROAD ADVISORY COMMISSION, reported to the Standing Committee on State Government, with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

H.B. 385, A BILL TO BE ENTITLED AN ACT TO AMEND THE MAKEUP OF THE YOUTH ADVISORY COUNCIL, reported to the Standing Committee on State Government, with a favorable recommendation.

SUBCOMMITTEES REFERRALS

Representative Stamey, Chairman for the Standing Committee on Transportation, refers:

H.B. 988, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DEPARTMENT OF TRANSPORTATION FROM PROCEEDING WITH ANY CONSTRUCTION PROJECT IN AREAS CONTAINING HABITATS OF THE RED-COCKADED WOODPECKER, to the Permanent Subcommittee on Highways.

Representative Barnes, Chairman for the Standing Committee on Education, refers:

H.B. 749, A BILL TO BE ENTITLED AN ACT TO REQUIRE INSTRUCTION IN THE PUBLIC SCHOOLS REGARDING ABSTINENCE FROM SEXUAL ACTIVITY, to the Permanent Subcommittee on Preschool, Elementary and Secondary Education.

H.B. 1063, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN IMMIGRANTS BE TREATED AS STATE RESIDENTS FOR COMMUNITY COLLEGE TUITION PURPOSES, to the Permanent Subcommittee on Community Colleges.

H.B. 1092, A BILL TO BE ENTITLED AN ACT RELATING TO THE MEMBERSHIP OF A COMMUNITY COLLEGE BOARD OF TRUSTEES, to the Permanent Subcommittee on Community Colleges.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representative Beall:

H.B. 1136, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY LICENSE TAX FILING FOR MANUFACTURERS, WHOLESALESALE, AND RETAILERS AND TO AUTHORIZE COUNTIES AND CITIES TO LEVY A GROSS RECEIPTS TAX ON MANUFACTURERS, WHOLESALERS, AND RETAILERS IN LIEU OF THE STATE REIMBURSEMENTS TO LOCAL GOVERNMENTS FOR THE REPEALED INVENTORY TAX, is referred to the Committee on Finance.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 87, AN ACT TO AUTHORIZE THE GOVERNOR TO APPOINT A "COMPOSER-LAUREATE FOR THE STATE OF NORTH CAROLINA". (CHAPTER 56)

H.B. 95, AN ACT TO AMEND CHAPTER 1079 OF THE 1984 SESSION LAWS TO AUTHORIZE CUMBERLAND COUNTY TO SELL INDUSTRIAL SITES IN ITS INDUSTRIAL PARK. (CHAPTER 57)

H.B. 113, AN ACT TO ALLOW THE TOWN OF AYDEN TO DISPOSE OF CERTAIN PROPERTY BY PRIVATE NEGOTIATION AND SALE. (CHAPTER 58)

H.B. 168, AN ACT TO AMEND THE HOME HEALTH AGENCY LICENSURE ACT. (CHAPTER 59)

H.B. 206, AN ACT TO SPECIFY AND MAKE UNIFORM THROUGHOUT THE STATE THE MANNER OF FILLING VACANCIES IN THE OFFICE OF REGISTER OF DEEDS, AND TO CLARIFY THAT THE REGISTER OF DEEDS TERM IS FOUR YEARS IN ALL COUNTIES. (CHAPTER 60)

H.B. 339, AN ACT TO EXEMPT PASQUOTANK COUNTY FROM THE REQUIREMENTS OF ARTICLE 12 OF CHAPTER 160A OF THE GENERAL STATUTES AS TO THE LEASE OR SALE OF CERTAIN PROPERTY. (CHAPTER 61)

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Barnes for the Committee on Education:

H.B. 854, A BILL TO BE ENTITLED AN ACT REGARDING THE CONTRACTS OF SUPERINTENDENTS OF LOCAL BOARDS OF EDUCATION, with a favorable report.

POINT OF PERSONAL PRIVILEGE

Representative Morgan rises on a point of personal privilege and reads letters received by him from students who recently visited the General Assembly.

Representative Morgan moves that the letters be carried in the journal and the motion carries.

The unedited letters are as follows:

"S.P.M.S.
255 S. May Street
Southern Pines, N.C. 28387
April 25, 1991

Dear Congressman,

I think you need to get your act together and start fighting for our education! Our whole fourth grade just visited you. You were running in and out, eating, drinking, and you *WERE NOT* paying attention to the Speaker at the front. I don't know why I came to Raleigh to listen to some stupid self centered people. If all you were going to do is wonder around then why do you even have the job. If you don't change your nasty ways I can guarentee you my mom won't vote for you.

I want 100% music, art, and education.

Sincerely,
S/Amanda

P.S. Who do you think you are are to do this to us.

S.P.M.S.
255 South May St.
Sou Pines, NC 28387
April 25, 1991

Dear Congressman,

I'am fed up with you! When we came to your place nobody was payin attieon. Some people were staring at the ceiling. Some were floating in and out of the room as they pleased. Some were eating. Now lisetn up bucks you better give us 100%. I care about my teacher. If you make

her do this I will be so mad I'll blow. I care about my school and my education. So I hope your paying atteion to this cause I am pretty mad.

Sinerely
S/Daniel"

CALENDAR

Action is taken on the following:

H.B. 3, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE HIGHWAY TRUST FUND AND TO MAKE TECHNICAL CHANGES TO THE LAWS AFFECTED BY THE HIGHWAY TRUST FUND.

On motion of Representative Lilley, the bill and three Senate amendments are withdrawn from the Calendar and re-referred to the Committee on Finance.

H.B. 592, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WASHINGTON TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Kimsey, Lewis, Lilley, Loflin, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, and Woodard - 95.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Beard, Decker, DeVane, Greenwood, Lutz, Michaux, and Wood - 7.

Committee Substitute for H.B. 689, A BILL TO BE ENTITLED AN ACT TO REDISTRICIT THE MADISON COUNTY BOARD OF EDUCATION, CHANGE THE MANNER OF ELECTION FROM PARTISAN TO NONPARTISAN, CHANGE THE TIME OF TAKING OFFICE FROM APRIL TO DECEMBER, AND PROVIDE FOR THE SEPARATE ELECTION OF THE CHAIRMAN, ALL SUBJECT TO A REFERENDUM, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin,

Church, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 102.

Voting in the negative: None.

Excused absences: Representatives Beard, Decker, DeVane, Greenwood, Lutz, Michaux, and Wood - 7.

Committee Substitute for **H.B. 530, A BILL TO BE ENTITLED AN ACT MAKING VARIOUS AMENDMENTS TO CHAPTER 85B OF THE GENERAL STATUTES RELATING TO AUCTIONS AND AUCTIONEERS**, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnhill, Beall, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Sam Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Russell, Smith, Stamey, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 99.

Voting in the negative: None.

Excused absences: Representatives Beard, Decker, DeVane, Greenwood, Lutz, Michaux, and Wood - 7.

H.B. 933, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SALES TAX EXEMPTION FOR PRISON CONCESSION SALES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch,

Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Green, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Howard, Huffman, Jack Hunt, Sam Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, and Woodard - 97.

Voting in the negative: None.

Excused absences: Representatives Beard, Decker, DeVane, Greenwood, Lutz, Michaux, and Wood - 7.

Committee Substitute for **H.B. 314**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF PROGRAMS TO ADDRESS THE NURSING SHORTAGE IN NORTH CAROLINA.

Representative Barnes, offers Amendment No. 1 which is adopted by electronic vote (100-0).

The bill, as amended, passes its third reading, by electronic vote (103-2), and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 148**, A BILL TO BE ENTITLED AN ACT TO INCREASE STATE EFFORT TO PREVENT DROPPING OUT OF SCHOOL BEFORE GRADUATION.

The bill, as amended, passes its third reading, by electronic vote (102-0), and is ordered engrossed and sent to the Senate.

H.B. 821, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE NATURAL DEATH ACT TO INCLUDE THE MEDICAL CONDITION OF PERSISTENT VEGETATIVE STATE.

Representative Gamble offers Amendment No. 1.

Representative Gamble withdraws Amendment No. 1.

On motion of Representative Holt, consideration of the bill is postponed until April 30.

Committee Substitute for **H.B. 745**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A GRACE PERIOD FOR MILITARY PERSONNEL TO LIST AND PAY PROPERTY TAXES AFTER DEPLOYMENT OR ACTIVE DUTY, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 309**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO CHAPTER 84 OF THE GENERAL STATUTES RELATING TO OUT-OF-STATE

ATTORNEYS, PREPAID LEGAL SERVICES, DEPOSITS OF THE STATE BAR, BOARD OF LAW EXAMINERS RECORDS, AND ATTORNEY DISCIPLINE AND DISBARMENT.

Representative Dawkins offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (102-0).

On motion of Representative Dawkins, the bill, as amended, is placed on the Calendar for May 1.

H.B. 398, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE JUDGES TO MAKE INTERIM ALLOCATIONS OF ASSETS PENDING A FINAL EQUITABLE DISTRIBUTION JUDGMENT, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1044, A BILL TO BE ENTITLED AN ACT TO ALLOW THE HOUSING OF SAFEKEEPERS IN THE SAME INPATIENT MEDICAL AND MENTAL HEALTH FACILITIES WITH CONVICTED PRISONERS, passes its second reading, by electronic vote (101-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 186, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN DESIGNATED STATE PUBLICATIONS BE PRINTED ON ALKALINE PAPER.

On motion of Representative Holmes, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 559, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION IN THE LAW REGARDING CERTIFICATES FOR FIRE PREVENTION INSPECTORS, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S.B. 161, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE DEPARTMENT OF HUMAN RESOURCES COMPLETE STAFF REVIEW OF LOCAL NEGATIVE ACTIONS WITHIN SIXTY DAYS.

On motion of Representative Jeralds, consideration of the bill is postponed until April 30.

On motion of Representative Jack Hunt, seconded by Representative Withrow, the House adjourns at 8:40 p.m. to reconvene April 30 at 1:30 p.m.

FIFTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 30, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Bishop H. Hartford Brookins, Second Episcopal District of the African Methodist Episcopal Church.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of April 29 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Colton, N. J. Crawford, Decker, Esposito, Flaherty, Greenwood, Justus, and Nesbitt for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Kennedy for the Committee on Judiciary I:

Senate Committee Substitute for **H.B. 34**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATIONS OF THE DEBT COLLECTION PRACTICES ACTS, with recommendation that the House concur.

By Representative Dawkins for the Committee on Judiciary II:

H.B. 474, A BILL TO BE ENTITLED AN ACT TO PERMIT THE COMMISSIONER OF LABOR TO IMPOSE PENALTIES AGAINST PUBLIC AGENCIES FOR OSHA VIOLATIONS, with a favorable report.

H.B. 520, A BILL TO BE ENTITLED AN ACT REGARDING LIMITATION OF LIABILITY FOR PERSONS RESPONDING TO OIL SPILLS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 2. The original bill is placed on the Unfavorable Calendar.

H.B. 690, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE ASSIGNMENT OF COUNSEL FOR INDIGENT PERSONS, with a favorable report.

H.B. 767, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PERCENTAGE OF SALES THAT MUST BE ATTRIBUTABLE TO

FOOD AND NONALCOHOLIC BEVERAGES BY RESTAURANT PERMITTEES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 2. The original bill is placed on the Unfavorable Calendar.

H.B. 848, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REQUIREMENTS CONCERNING THE INDEXING AND FILING OF CERTAIN UCC STATEMENTS, with a favorable report.

H.B. 849, A BILL TO BE ENTITLED AN ACT TO REQUIRE REGISTERS OF DEEDS TO RECORD AS SEPARATE INSTRUMENTS ALL SUBSEQUENT ENTRIES REGARDING DEEDS OF TRUST, MORTGAGES, AND OTHER INSTRUMENTS AS SEPARATE INSTRUMENTS, with a favorable report.

H.B. 884, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MANDATORY SEAT BELT LAW, with a favorable report.

H.B. 911, A BILL TO BE ENTITLED AN ACT TO PERMIT THE ISSUANCE OF CERTAIN ABC PERMITS TO ALUMNI ASSOCIATIONS ON SCHOOL AND COLLEGE CAMPUSES, with a favorable report.

By Representative Barnes for the Committee on Education:

H.B. 741, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO REVISE THE FUNDING FORMULA FOR EXCEPTIONAL CHILDREN, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Michaux for the Committee on Courts, Justice, Constitutional Amendments and Referenda:

H.B. 391, A BILL TO BE ENTITLED AN ACT TO CONFORM THE PETITION REQUIREMENTS FOR UNAFFILIATED CANDIDATES TO A RECENT COURT RULING, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 2. The original bill is placed on the Unfavorable Calendar.

By Representative Lutz for the Committee on Local and Regional Government II:

H.B. 638, A BILL TO BE ENTITLED AN ACT EXTENDING THE EXTRATERRITORIAL JURISDICTION OF THE TOWN OF MONTREAL, with a favorable report.

H.B. 642, A BILL TO BE ENTITLED AN ACT TO INCORPORATE CHIMNEY ROCK VILLAGE IN RUTHERFORD COUNTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H.B. 682, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FINE FOR VIOLATIONS OF CERTAIN NEW

HANOVER COUNTY ORDINANCES AND OF CERTAIN ORDINANCES OF THE MUNICIPALITIES THEREIN, with a favorable report.

H.B. 685, A BILL TO BE ENTITLED AN ACT REGARDING DISCOUNTS FOR PAYMENTS OF PROPERTY TAX IN SURRY COUNTY, with a favorable report.

H.B. 711, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE ORIGINAL NAME OF SR 1632 IN CRAVEN COUNTY AS "NEW ROAD", with a favorable report.

H.B. 712, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING ON, FROM, OR ACROSS THE RIGHT-OF-WAY OF N.C. HIGHWAY 55 AND N.C. HIGHWAY 306 IN PAMLICO COUNTY, with a favorable report.

H.B. 730, A BILL TO BE ENTITLED AN ACT TO ALLOW PASQUOTANK COUNTY TO LEASE CERTAIN LAND FOR TWENTY-FIVE YEARS, with a favorable report, as amended.

H.B. 785, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PAMLICO COUNTY SCHOOL BOARD TO CONVEY TO HOBUCKEN COMMUNITY DEVELOPMENT, INC., CERTAIN SCHOOL PROPERTY, with a favorable report.

H.B. 794, A BILL TO BE ENTITLED AN ACT TO ALLOW SAMPSON COUNTY TO ACQUIRE PROPERTY FOR USE BY THE SAMPSON COUNTY BOARD OF EDUCATION, with a favorable report.

H.B. 811, A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM OF OFFICE OF THE MADISON COUNTY TAX COLLECTOR FROM TWO YEARS TO FOUR YEARS BEGINNING IN 1992, with a favorable report.

By Representative Stamey for the Committee on Transportation:

H.B. 382, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE STACKING OF OVERWEIGHT PENALTIES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 82, A BILL TO BE ENTITLED AN ACT TO AMEND THE BEDDING SANITATION LAW, with a favorable report.

H.B. 591, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ROCKINGHAM COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report.

Committee Substitute for **H.B. 664**, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF FARMVILLE, with a favorable report.

Committee Substitute for **H.B. 681**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ANNEXATION OF CAROLINA MILLS, INC., PROPERTY BY THE TOWN OF VALDESE AFTER A FIXED PERIOD OF TIME, with a favorable report.

H.B. 757, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DUNN TO IMPOSE FACILITY FEES, with a favorable report, as amended.

SUBCOMMITTEE REFERRALS

Representative DeVane, Chairman for the Standing Committee on Environment, refers:

H.B. 900, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES CONCERNING RESIDENT INSPECTOR RULES AT SPECIAL PURPOSE COMMERCIAL HAZARDOUS WASTE FACILITIES, to the Permanent Subcommittee on Hazardous Waste.

H.B. 1096, A BILL TO BE ENTITLED AN ACT TO PROHIBIT STATE INVOLVEMENT IN THE SITING OF A HAZARDOUS WASTE FACILITY UNTIL SUCH TIME AS (1) THE FEDERAL LAW PERMITS THE STATES TO BAR THE IMPORTATION OF HAZARDOUS WASTE FOR TREATMENT OR DISPOSAL OR (2) THERE ARE NO HAZARDOUS WASTE FACILITIES OUTSIDE OF THE STATE WHICH WILL ACCEPT HAZARDOUS WASTE GENERATED IN NORTH CAROLINA, to the Permanent Subcommittee on Hazardous Waste.

H.B. 1097, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL HAZARDOUS WASTE LANDFILLS TO HAVE ENGINEERED BARRIERS, to the Permanent Subcommittee on Hazardous Waste.

H.B. 961, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISTRIBUTION, SALE, AND OFFERING FOR SALE OF PLASTIC CONTAINERS PRODUCED FROM POLYVINYL CHLORIDE, to the Permanent Subcommittee on Solid Waste.

H.B. 1090, A BILL TO BE ENTITLED AN ACT TO REQUIRE ENVIRONMENTAL IMPACT STATEMENTS FOR SANITARY LANDFILLS THAT ARE PRIVATELY OPERATED, to the Permanent Subcommittee on Solid Waste.

H.B. 1093, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO DENY A PERMIT FOR A SANITARY LANDFILL OR A SOLID WASTE INCINERATOR TO AN APPLICANT THAT DOES NOT SUBMIT AN APPROVED WASTE REDUCTION PLAN, to the Permanent Subcommittee on Solid Waste.

H.B. 1109, A BILL TO BE ENTITLED AN ACT TO IMPROVE AND REFINE THE SOLID WASTE MANAGEMENT LAWS REGARDING THE STATE SOLID WASTE GOAL AND CERTAIN OTHER MATTERS, to the Permanent Subcommittee on Solid Waste.

H.B. 1131, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DEMOLITION ASPHALT MAY BE USED AS CLEAN FILL, to the Permanent Subcommittee on Solid Waste.

H.B. 1032, A BILL TO BE ENTITLED AN ACT TO VEST AUTHORITY IN THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO GRANT SHELLFISH CULTIVATION LEASES, to the Permanent Subcommittee on Water, Air and Soil.

H.B. 1056, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE AMOUNT OF A CIVIL PENALTY ASSESSMENT AS DETERMINED BY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES IS BINDING ON THE ENVIRONMENTAL MANAGEMENT COMMISSION IN ITS REVIEW OF THE DECISION RECOMMENDED BY THE DEPARTMENT, to the Permanent Subcommittee on Water, Air and Soil.

H.B. 1074, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF COMMERCIAL UNDERGROUND STORAGE TANK, to the Permanent Subcommittee on Water, Air and Soil.

H.B. 1120, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA ENVIRONMENTAL PROTECTION LAWS TO PROVIDE ENHANCED PROTECTION FOR WETLANDS, to the Permanent Subcommittee on Water, Air and Soil.

H.B. 1124, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, to the Permanent Subcommittee on Water, Air and Soil.

S.B. 344, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE NORTH CAROLINA CLEAN WATER REVOLVING LOAN AND GRANT PROGRAM TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, to the Permanent Subcommittee on Water, Air and Soil.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Mercer for the Permanent Subcommittee on Military, Veterans and Indian Affairs of the Standing Committee on State Government, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 562, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE COUNCIL ON THE STATUS OF WOMEN TO THE NORTH CAROLINA COUNCIL FOR WOMEN, with a favorable report.

SUBCOMMITTEE REFERRALS

Representative Hardaway, Chairman for the Standing Committee on Commerce, refers:

H.B. 717, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPECIFIC LICENSING OF RENTAL CAR COMPANY PERSONNEL WHO ACT AS AGENTS FOR INSURERS IN THE SALE OF INSURANCE COVERAGE RELATED TO THE SHORT-TERM RENTAL OF MOTOR VEHICLES, to the Permanent Subcommittee on Insurance.

H.B. 918, A BILL TO BE ENTITLED AN ACT THAT CLARIFIES THAT SECRETARIES AND OTHER CLERICAL ASSISTANTS DO NOT HAVE TO BE LICENSED AS INSURANCE AGENTS TO SELL INSURANCE UNDER THE SUPERVISION OF RESIDENT LICENSED INSURANCE AGENTS AND BROKERS, to the Permanent Subcommittee on Insurance.

H.B. 865, A BILL TO BE ENTITLED AN ACT TO ALLOW A LIMITED REPRESENTATIVE TO RECEIVE A LICENSE TO SELL CREDIT PROPERTY INSURANCE AND AUTOMOBILE PHYSICAL DAMAGE INSURANCE ISSUED IN CONNECTION WITH A LOAN, to the Permanent Subcommittee on Financial Institutions.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives McAllister, Anderson, Barnhill, Beall, Beard, Bowman, Colton, Cunningham, Diamont, Easterling, Fitch, Foster, Hardaway, Hensley, Holt, Howard, H. Hunter, Hurley, Jeralds, Jordan, Kahl, Kennedy, Luebke, Mercer, Michaux, Oldham, Wainwright, Warner, Wicker, and Withrow:

H.B. 1137, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE COVERED SHELTERS AND SEATING FOR SCHOOL CHILDREN VISITING STATE GOVERNMENT, is referred to the Committee on Appropriations.

By Representatives Diamont, Bowman, and Kennedy:

H.B. 1138, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE COMMUNITY-BASED ALTERNATIVES PROGRAM, is referred to the Committee on Appropriations.

By Representatives Kerr and Russell:

H.B. 1139, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN AUDITORIUM AT THE CHARLES B. AYCOCK HISTORIC SITE, is referred to the Committee on Appropriations.

By Representatives Kerr and Russell:

H.B. 1140, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR WAYNE COMMUNITY COLLEGE CAMPUS BUILDING CONSTRUCTION, is referred to the Committee on Appropriations.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 78, AN ACT TO CLARIFY FUNERAL BENEFITS PROVIDED BY ALL BURIAL ASSOCIATIONS OPERATING IN NORTH CAROLINA. (CHAPTER 62)

H.B. 224, AN ACT TO PROVIDE THAT AN APPEAL FOR A TRIAL DE NOVO MAY BE WITHDRAWN AFTER THE CALENDARING OF THE CASE UPON CONSENT OF THE COURT AND THE ATTACHMENT OF COURT COSTS. (CHAPTER 63)

H.B. 343, AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO REDUCE ITS PRIVILEGE LICENSE TAX PENALTIES AND TO AUTHORIZE CERTAIN CITIES TO ALLOW CREDITS FOR PRIVILEGE LICENSE TAX PENALTIES. (CHAPTER 64)

CALENDAR

Action is taken on the following:

Senate Committee Substitute for House Committee Substitute for **H.B. 157, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO WITH RESPECT TO FAIR HOUSING.**

On motion of Representative Gist, the House concurs in the Senate committee substitute, by electronic vote (101-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 689, A BILL TO BE ENTITLED AN ACT TO REDISTRICT THE MADISON COUNTY BOARD OF EDUCATION, CHANGE THE MANNER OF ELECTION FROM PARTISAN TO NONPARTISAN, CHANGE THE TIME OF TAKING OFFICE FROM APRIL TO DECEMBER, AND PROVIDE FOR THE SEPARATE ELECTION OF THE CHAIRMAN, ALL SUBJECT TO A REFERENDUM,** passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Dickson, Dockham, Easterling, Ethridge, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McAllister, McGee, McLaughlin, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhynes, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, Woodard - 100.

Voting in the negative: None.

Excused absences: Representatives Colton, N. J. Crawford, Decker, Esposito, Flaherty, Greenwood, Justus, and Nesbitt - 8.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Michaux for the Committee on Courts, Justice, Constitutional Amendments and Referenda:

H.B. 655, A BILL TO BE ENTITLED AN ACT TO AMEND THE ELECTION LAWS CONCERNING INFORMATION PROVIDED ON VOTER LISTS, PROVISION OF COMPUTER DISCS OR TAPES, AND PROVIDING THAT REGISTRANTS SHALL PROVIDE THEIR TELEPHONE NUMBER, IF ANY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 2. The original bill is placed on the Unfavorable Calendar.

H.B. 750, A BILL TO BE ENTITLED AN ACT TO ALLOW VERIFIABLE LEGAL GUARDIANS TO APPLY FOR AND OTHERWISE HANDLE ABSENTEE BALLOTS FOR THEIR WARD, with a favorable report, as amended.

H.B. 751, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTY BOARDS OF ELECTIONS IN COUNTIES WITH LESS THAN 14,001 REGISTERED VOTERS TO DETERMINE WHETHER TO BECOME A FULL-TIME OFFICE, with an indefinite postponement report.

By Representative R. Hunter for the Committee on Judiciary III:

H.B. 544, A BILL TO BE ENTITLED AN ACT CREATING A CIVIL PENALTY FOR BUYING OR SELLING NON-TAX-PAID FUEL, with a favorable report.

H.B. 786, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A VIOLATION OF AN ORDINANCE ADOPTED BY A METROPOLITAN SEWERAGE DISTRICT IS A MISDEMEANOR OFFENSE, with a favorable report.

CALENDAR (continued)

H.B. 747, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWNS OF MATTHEWS, MINT HILL, AND PINEVILLE IN MECKLENBURG COUNTY TO REGULATE IN CERTAIN EXTRATERRITORIAL AREAS.

The bill, as amended, passes its third reading, by electronic vote (96-1), and is ordered engrossed and sent to the Senate.

H.B. 637, A BILL TO BE ENTITLED AN ACT TO EXPAND AND REDISTRICT THE GUILFORD COUNTY BOARD OF COMMISSIONERS.

On motion of Representative Gist, consideration of the bill is postponed until May 2.

S.B. 148, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE PRODUCTION OF CROPS, FRUITS, VEGETABLES, ORNAMENTAL AND FLOWERING PLANTS, ETC., IS A BONA FIDE FARM PURPOSE IN THE ZONING STATUTES.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment.

Those voting in the affirmative are: Abernethy, Albertson, Anderson, Balmer, Barbee, Barnhill, Beall, Beard, Black, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Dial, Diamont, Dickson, Dockham, Easterling, Fitch, Fletcher, Foster, Gamble, Gardner, Gottovi, Grady, Gray, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, and Wood - 96.

Voting in the negative: Representative Grimmer.

Excused absences: Representatives Colton, N. J. Crawford, Decker, Esposito, Flaherty, Greenwood, Justus, and Nesbitt - 8.

Committee Substitute for **H.B. 482, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAWS ON THIRD PARTY ADMINISTRATORS**, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dockham, Easterling, Ethridge, Fitch, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Sam Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Stamey, Tallent, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 98.

Voting in the negative: None.

Excused absences: Representatives Colton, N. J. Crawford, Decker, Esposito, Flaherty, Greenwood, Justus, and Nesbitt - 8.

Committee Substitute for **H.B. 965, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADVANCEMENT OF FUNDS FOR**

REVENUE BOND PROJECTS BY POLITICAL SUBDIVISIONS AND THE REPAYMENT OF THESE ADVANCES FROM REVENUE BOND PROCEEDS, AND TO PROVIDE FOR THE APPOINTMENT OF COUNTY AND CITY OFFICIALS TO GOVERNING BOARDS OF AUTHORITIES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Ethridge, Fitch, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Jack Hunt, Judy Hunt, Sam Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Stamey, Tallent, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 99.

Voting in the negative: None.

Excused absences: Representatives Colton, N. J. Crawford, Decker, Eposito, Flaherty, Greenwood, Justus, and Nesbitt - 8.

H.B. 569, A BILL TO BE ENTITLED AN ACT TO REGULATE PERSONNEL RECORDS OF COMMUNITY COLLEGE SYSTEM EMPLOYEES AND RELATED MATTERS.

The bill, as amended, passes its third reading, by electronic vote (99-1), and is ordered engrossed and sent to the Senate.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Jones for the Permanent Subcommittee on Children, Youth and Families of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 122, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE STATE AGENCIES AND PUBLIC SCHOOLS TO DEVELOP ON-OR NEAR-SITE DAY CARE FACILITIES FOR THEIR EMPLOYEES, with a favorable report, as amended.

CALENDAR (continued)

H.B. 821, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE NATURAL DEATH ACT TO INCLUDE THE MEDICAL CONDITION OF PERSISTENT VEGETATIVE STATE, passes its third reading, by electronic vote (91-12), and is ordered sent to the Senate.

Committee Substitute for **H.B. 478**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE TYPE OF DEVICE COVERED BY THE AMUSEMENT DEVICE SAFETY ACT, passes its second reading by electronic vote (97-4).

Representative Warner objects to the third reading. The bill remains on the Calendar.

Representative Warner withdraws his objection to the third reading.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 1047**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE DOUBLE TAXATION OF ALARM SYSTEMS INSTALLERS LICENSED BY THE ALARM SYSTEMS LICENSING BOARD, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 151**, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE HIGHER EDUCATION IN NORTH CAROLINA.

On motion of Representative Miller, the bill is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

Committee Substitute for **H.B. 923**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCEDURES GOVERNING THE NOMINATION AND ELECTION OF MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S.B. 161, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE DEPARTMENT OF HUMAN RESOURCES COMPLETE STAFF REVIEW OF LOCAL NEGATIVE ACTIONS WITHIN SIXTY DAYS, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Lutz for the Committee on Local and Regional Government II:

H.B. 602, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IN FILLING A VACANCY ON THE LINCOLN COUNTY BOARD OF COMMISSIONERS, THE NOMINEE OF THE PARTY EXECUTIVE COMMITTEE OF THE VACATING MEMBER MUST BE APPOINTED, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 2. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Lutz, the rules are suspended and the bill is withdrawn from the Calendar for May 2 and placed on the Calendar for May 1.

CALENDAR (continued)

H.J.R. 695, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS OF THOMAS W. D'ALONZO AND KENNETH R. HARRIS TO MEMBERSHIP ON THE STATE BOARD OF EDUCATION, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 854, A BILL TO BE ENTITLED AN ACT REGARDING THE CONTRACTS OF SUPERINTENDENTS OF LOCAL BOARDS OF EDUCATION, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Jack Hunt, seconded by Representative Smith, the House adjourns at 3:45 p.m. to reconvene May 1 at 1:30 p.m.

FIFTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 1, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of April 30 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Esposito, Flaherty, Greenwood, Kahl, McLawhorn, and Nye for today.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

Representative Redwine sends forth a petition signed by 20,000 North Carolinians, asking to have the opportunity to have a voice in the decision on a State lottery.

The Speaker receives the Petition and announces it is on file in the House Principal Clerk's office, if anyone wishes to inspect it.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Gist for the Committee on Local and Regional Government I:

H.B. 465, A BILL TO BE ENTITLED AN ACT TO LIMIT THE SALES OF MALT BEVERAGES IN THE CITY OF COLUMBIA, TYRRELL COUNTY, with a favorable report.

H.B. 596, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF NAGS HEAD, KILL DEVIL HILLS, SOUTHERN SHORES, KITTY HAWK, AND MANTEO TO ENACT ORDINANCES WHICH PROHIBIT THE SALE OR DISTRIBUTION OF ANY POLYSTYRENE FOAM PRODUCT WHICH IS USED IN CONJUNCTION WITH FOOD FOR HUMAN CONSUMPTION, with a favorable report and recommendation that the bill be re-referred to the Committee on Environment.

H.B. 598, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS, TO PROHIBIT HUNTING ON ANOTHER'S LAND WITHOUT PERMISSION, AND TO REGULATE HUNTING WITH CENTER FIRE RIFLES IN PASQUOTANK COUNTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

H.B. 701, A BILL TO BE ENTITLED AN ACT TO ELIMINATE LEGISLATIVE APPOINTMENTS TO THE BOARD OF EDUCATION FOR THE PUBLIC SCHOOLS OF ROBESON COUNTY, with a favorable report.

H.B. 727, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE TOWN OF TARBORO FROM THE TIME LIMITATION IN G.S. 160A-58.2 FOR THE EFFECTIVE DATE OF AN ANNEXATION ORDINANCE, with a favorable report.

H.B. 738, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO WITHHOLD FUTURE APPROVALS FROM A PERSON WITH OUTSTANDING ZONING AND SUBDIVISION ORDINANCE VIOLATIONS, with a favorable report.

H.B. 756, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE CITY OF DUNN, with a favorable report.

On motion of Representative Gist, the bill is re-referred to the Committee on Finance.

H.B. 760, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWNS OF ANGIER, ERWIN, AND LILLINGTON AND THE CITY OF DUNN TO: (1) SEND ONE BILL THAT INCLUDES THE

ITEMIZED FEES FOR SOLID WASTE, WATER, AND SEWAGE SERVICES, AND (2) TERMINATE ANY OR ALL SUCH SERVICES IN THE CASE OF NONPAYMENT, WITHIN THIRTY DAYS, OF THE TOTAL AMOUNT DUE FOR ALL SUCH SERVICES COMBINED, with a favorable report.

H.B. 772, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO FILE WITH THE REGISTER OF DEEDS A NOTICE OF SPECIAL CONDITIONS ATTACHED TO THE ZONING OF PROPERTY, with a favorable report.

By Representative Hardaway for the Committee on Commerce:

H.B. 33, A BILL TO BE ENTITLED AN ACT TO REGULATE THE BUSINESS OF PROVIDING CREDIT REPAIR SERVICES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 3. The original bill is placed on the Unfavorable Calendar.

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

H.J.R. 162, A JOINT RESOLUTION CONFIRMING THE APPOINTMENT BY GOVERNOR JAMES G. MARTIN OF WILLIAM T. GRAHAM AS COMMISSIONER OF BANKS FOR A TERM TO EXPIRE MARCH 31, 1995, with an indefinite postponement report.

H.J.R. 167, A JOINT RESOLUTION PROVIDING THAT THE 1991 GENERAL ASSEMBLY MEET ON THE CAMPUS OF ELIZABETH CITY STATE UNIVERSITY IN HONOR OF THE ONE HUNDREDTH ANNIVERSARY OF THE UNIVERSITY'S FOUNDING, with an indefinite postponement report.

SUSPENSION OF RULE

On motion of Representative Jack Hunt, House Rule 20(c) is suspended until May 15 in order that the electronic voting time may be ten seconds instead of fifteen seconds.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Dawkins for the Committee on Judiciary II:

H.B. 331, A BILL TO BE ENTITLED AN ACT TO REQUIRE TWO REAR-VISION MIRRORS ON CERTAIN TRUCKS, BUSES, AND TRUCK TRACTORS, with a favorable report.

H.B. 473, A BILL TO BE ENTITLED AN ACT TO ESTABLISH POLICIES FOR PURCHASES BY PUBLIC LIBRARIES AND FOR THE USE OF PUBLIC LIBRARY FACILITIES, with a favorable report, as amended.

H.B. 838, A BILL TO BE ENTITLED AN ACT TO MAKE THE DESTRUCTION OF ANY CROP, PASTURE, OR PROVENDER A FELONY, with a favorable report.

H.B. 939, A BILL TO BE ENTITLED AN ACT TO MAKE IT CLEAR THAT A MEDIATION OR OTHER DISPUTE SETTLEMENT CENTER IS NOT A COLLECTION AGENCY AND THEREFORE NOT SUBJECT TO REGULATION PURSUANT TO ARTICLE 9C OF CHAPTER 66 OF THE GENERAL STATUTES, with a favorable report.

H.B. 1002, A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PROVISIONS CONTAINED IN THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 3. The original bill is placed on the Unfavorable Calendar.

H.B. 1003, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DEFENDANT, AFTER A FINDING OF PROBABLE CAUSE OR INDICTMENT FOR COMMITTING A NONCONSENSUAL SEX OFFENSE, SHALL BE TESTED FOR AIDS UPON THE REQUEST OF THE VICTIM, with a favorable report.

H.B. 1026, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CONTRACT CANNOT REQUIRE PARTIES TO BRING AN ACTION OR ARBITRATION PROCEEDING THEREUNDER OUTSIDE THE STATE, with a favorable report.

H.B. 1027, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PAYMENT OF A CONTRACTOR IS NOT A CONDITION PRECEDENT FOR PAYMENT OF A SUBCONTRACTOR, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 3. The original bill is placed on the Unfavorable Calendar.

By Representative Ramsey for the Committee on Public Employees:

H.B. 279, A BILL TO BE ENTITLED AN ACT TO PROVIDE HEALTH BENEFITS FOR HANDICAPPED DEPENDENTS OF TEACHERS AND STATE EMPLOYEES PREVIOUSLY EXCLUDED FROM COVERAGE BY THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, with a favorable report.

H.B. 315, A BILL TO BE ENTITLED AN ACT TO ASSIST STATE AGENCIES IN FILLING VACANCIES WITHIN SHORT-AGE OCCUPATIONS, INCLUDING NURSING, with a favorable report.

H.B. 518, A BILL TO BE ENTITLED AN ACT TO AMEND BENEFITS OF THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H.B. 1013, A BILL TO BE ENTITLED AN ACT TO DEFINE THE LIMITS OF LOCAL GOVERNMENT EMPLOYEES' POLITICAL ACTIVITIES WHILE ON DUTY, with a favorable report.

H.B. 1053, A BILL TO BE ENTITLED AN ACT TO PERMIT PUBLIC SCHOOL EMPLOYEES TO AUTHORIZE THE PERIODIC DEDUCTION FROM THEIR SALARIES OF PAYMENTS TO THE EMPLOYEES' ASSOCIATIONS, with a favorable report, as amended.

By Representative Michaux for the Committee on Courts, Justice, Constitutional Amendments and Referenda:

H.B. 752, A BILL TO BE ENTITLED AN ACT CONCERNING COMPENSATION OF MEMBERS AND SUPERVISORS OF COUNTY BOARDS OF ELECTIONS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 3. The original bill is placed on the Unfavorable Calendar.

H.B. 870, A BILL TO BE ENTITLED AN ACT TO REQUIRE IDENTIFICATION OF VOTERS, with a favorable report.

By Representative Stamey for the Committee on Transportation:

H.B. 80, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES THAT ARE ORGANIZERS OF A PUBLIC TRANSPORTATION AUTHORITY TO LEVY A RENTAL VEHICLE SURTAX, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 115, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE NORTH CAROLINA STATE PORTS AUTHORITY MAY RECEIVE REFUNDS OF SALES AND USE TAXES PAID ON DIRECT PURCHASES OF TANGIBLE PERSONAL PROPERTY, with an indefinite postponement report.

H.B. 340, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CURRITUCK COUNTY TO LEVY AN ADDITIONAL ONE PERCENT OCCUPANCY TAX AND TO USE THE PROCEEDS OF THE ADDITIONAL TAX FOR THE CURRITUCK WILDLIFE MUSEUM, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 3. The original bill is placed on the Unfavorable Calendar.

H.B. 1121, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF LABOR TO ASSESS ADDITIONAL FEES

AGAINST AMUSEMENT DEVICE OWNERS UNDER CERTAIN CIRCUMSTANCES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 3. The original bill is placed on the Unfavorable Calendar.

By Representative Lutz for the Committee on Local and Regional Government II:

H.B. 774, A BILL TO BE ENTITLED AN ACT TO ALLOW THE BOARD OF TRUSTEES OF WATAUGA HOSPITAL, INC., TO ENTER INTO SINGLE PRIME CONTRACTOR PUBLIC CONTRACTS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 3. The original bill is placed on the Unfavorable Calendar.

H.B. 777, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF RALEIGH, with a favorable report as to committee substitute bill, unfavorable as to original bill.

On motion of Representative Lutz, the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 790, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE TOWN OF FAISON FROM CERTAIN NOTICE REQUIREMENTS AND TO EXTEND THE TOWN OF FAISON'S EXTRATERRITORIAL JURISDICTION, with a favorable report.

H.B. 797, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF AUTRYVILLE, with a favorable report.

H.B. 798, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM PUBLIC ROADS IN SAMPSON COUNTY, with a favorable report.

H.B. 800, A BILL TO BE ENTITLED AN ACT TO EXTEND AND REVISE THE CORPORATE LIMITS OF THE TOWN OF NORWOOD, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

S.B. 189, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE AUTHORITY OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES CONCERNING THE JOINT LEGISLATIVE

COMMISSION ON GOVERNMENTAL OPERATIONS IS THE SAME, with a favorable report.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Hurley for the Permanent Subcommittee on Public Transportation:

H.B. 892, A BILL TO BE ENTITLED AN ACT TO ELIMINATE ORAL DRIVERS LICENSE TESTS, reported to the Standing Committee on Transportation with a favorable recommendation.

By Representative Beall for the Permanent Subcommittee on Forestry, Horticulture and Wildlife of the Standing Committee on Agriculture, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 978, A BILL TO BE ENTITLED AN ACT TO PROTECT AGRICULTURAL OPERATIONS FROM NUISANCE SUITS UNDER CERTAIN CIRCUMSTANCES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 3. The original bill is placed on the Unfavorable Calendar.

S.B. 149, A BILL TO BE ENTITLED AN ACT TO INCLUDE HORTICULTURE, THE RAISING OF LIVESTOCK AND POULTRY, AND AQUACULTURE IN THE DEFINITION OF THE TERMS "AGRICULTURE" AND "AGRICULTURAL" AS THEY ARE USED IN THE AGRICULTURAL DEVELOPMENT ACT, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for May 3. The original bill is placed on the Unfavorable Calendar.

By Representative Albertson for the Permanent Subcommittee on Crops and Animal Husbandry of the Standing Committee on Agriculture, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 633, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A TURFGRASS/FORAGE RESEARCH ASSESSMENT, with a favorable report as to committee substitute bill, which changes the title and recommendation that committee substitute bill be re-referred to the Committee on Appropriations, unfavorable as to original bill.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 874, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE LAW REGARDING THE TAKING UP OF STRAY LIVESTOCK AND TO CONFORM THAT LAW WITH THE LAW REGARDING THE TAKING UP OF LIVESTOCK RUNNING AT LARGE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representative Jones for the Permanent Subcommittee on Children, Youth and Families of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 319, A BILL TO BE ENTITLED AN ACT TO CLARIFY RULEMAKING AND ENFORCEMENT AUTHORITY FOR DAY CARE HEALTH ISSUES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 3. The original bill is placed on the Unfavorable Calendar.

By Representative Jarrell for the Permanent Subcommittee on Air-
port, Railways and Waterways of the Standing Committee on Transportation, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 719, A BILL TO BE ENTITLED AN ACT TO GRANT TO MUNICIPALITIES CERTAIN POWERS AUTHORIZED BY SECTION 13 OF ARTICLE V OF THE CONSTITUTION OF NORTH CAROLINA, with a favorable report.

By Representative Gamble for the Permanent Subcommittee on Local and Regional Government Revenue:

H.B. 989, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SEPARATE PERMIT FOR HOTELS CHOOSING TO OFFER ALCOHOLIC BEVERAGE SALES FROM LOCKED CABINETS IN GUEST ROOMS, reported to the Standing Committee on Finance, with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

By Representative J. W. Crawford for the Permanent Subcommittee on Water, Air and Soil of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 422, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF THE TERM "OTHER WASTE" AS USED IN THE WATER AND AIR POLLUTION STATUTES, with a favorable report.

SUBCOMMITTEE REFERRAL

Representative DeVane, Chairman for the Standing Committee on Environment, refers:

H.B. 449, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE SEDIMENTATION POLLUTION CONTROL ACT, to the Permanent Subcommittee on Water, Air and Soil.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 10, AN ACT TO MAKE CERTAIN TECHNICAL AND CLARIFYING AMENDMENTS TO CHAPTER 126 OF THE GENERAL STATUTES REGARDING THE STATE PERSONNEL SYSTEM. (CHAPTER 65)

S.B. 161, AN ACT TO REQUIRE THAT THE DEPARTMENT OF HUMAN RESOURCES COMPLETE STAFF REVIEW OF LOCAL NEGATIVE ACTIONS WITHIN SIXTY DAYS. (CHAPTER 66)

H.B. 157, AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO WITH RESPECT TO FAIR HOUSING. (CHAPTER 67)

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Barnes:

H.B. 1141, A BILL TO BE ENTITLED AN ACT TO ADD TWO MORE BRACKETS TO THE INDIVIDUAL INCOME TAX SO THAT HIGHER-INCOME TAXPAYERS PAY TAX AT HIGHER MARGINAL RATES, is referred to the Committee on Finance.

By Representatives Barnes, Gottovi, and Ligon:

H.B. 1142, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXCISE TAXES ON BEER AND CIGARETTES AND TO PROVIDE THAT THE ADDITIONAL REVENUE GENERATED BY THESE TAX INCREASES MAY BE APPROPRIATED ONLY FOR EDUCATION PURPOSES, is referred to the Committee on Finance.

By Representatives Colton, Bowman, N. J. Crawford, Easterling, Holt, Jarrell, Luebke, Stamey, and Withrow:

H.B. 1143, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EQUIP AND DESIGN, CONSTRUCT, AND INSTALL EXHIBITIONS IN THE NEW NORTH CAROLINA MUSEUM OF HISTORY BUILDING, is referred to the Committee on Appropriations.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

S.J.R. 593, A JOINT RESOLUTION SETTING THE DATE FOR THE SENATE AND HOUSE OF REPRESENTATIVES TO ELECT MEMBERS OF THE STATE BOARD OF COMMUNITY COLLEGES, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 291, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO LEVY A MOTOR VEHICLE TAX

NOT TO EXCEED TWENTY-FIVE DOLLARS, is read the first time. Senate Amendment No. 1 is ruled to be material and the bill and amendments are referred to the Committee on Finance.

Committee Substitute for S.B. 111, A BILL TO BE ENTITLED AN ACT TO LOWER THE MINIMUM HIGHWAY USE TAX, TO EXEMPT CERTAIN TRANSFERS OF VEHICLES FROM THE TAX, AND TO RAISE VARIOUS FEES AND TAXES TO OFFSET THE LOSS OF REVENUE RESULTING FROM THESE CHANGES, is read the first time and referred to the Committee on Finance.

S.B. 134, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO DESIGNATE STATE TRAILS BY WRITTEN AGREEMENTS WITH PRIVATE LANDOWNERS AND OTHER UNITS OF GOVERNMENT WITHOUT REQUIRING THE DEPARTMENT TO POSSESS AN INTEREST IN THE PROPERTY, is read the first time and referred to the Committee on Environment.

Committee Substitute for S.B. 218, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO CANCEL THE REGISTRATION AND TITLE OF CERTAIN VEHICLES AND DELETING AN OBSOLETE REQUIREMENT CONCERNING INFORMATION GIVEN IN AN APPLICATION FOR A CERTIFICATE OF TITLE, is read the first time and referred to the Committee on Transportation.

S.B. 241, A BILL TO BE ENTITLED AN ACT TO ALLOW NORTH CAROLINA AMATEUR SPORTS TO USE STATE TRUCKS AND VANS FOR THE STATE GAMES OF NORTH CAROLINA, is read the first time and referred to the Committee on State Government.

Committee Substitute for S.B. 253, A BILL TO BE ENTITLED AN ACT TO MAKE THE RECORDS AND INFORMATION USED IN CONNECTION WITH THE DEPARTMENT OF TRANSPORTATION'S BID ANALYSIS AND MANAGEMENT SYSTEM CONFIDENTIAL, is read the first time and referred to the Committee on Transportation.

Committee Substitute for S.B. 348, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE STATE AUDITOR, is read the first time and referred to the Committee on State Government.

Committee Substitute for S.B. 475, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE WILDLIFE RESOURCES COMMISSION TO MODIFY THE BOUNDARIES OF A PORTION OF THE DANIEL BOONE BEAR SANCTUARY LOCATED IN CALDWELL AND AVERY COUNTIES, AND TO ALLOW THE HUNTING OF BEAR AND WILD BOAR FROM THE RIGHTS-OF-WAY OF UNPAVED ROADS IN AVERY, CALDWELL, AND WILKES COUNTIES, is read the first time and referred to the Committee on Agriculture.

S.B. 495, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CONTRACTS FOR A SIXTY-FOUR-BED ADDITION TO THE PRESENT JAIL FACILITY OF WILSON COUNTY FROM THE REQUIREMENTS OF THE PUBLIC BIDDING LAWS, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 520, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO PROVIDE FOR IMPROVEMENTS TO REAL PROPERTY BY THE SELLER OR LESSOR OF THE PROPERTY, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 632, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING THE GUILFORD COUNTY OCCUPANCY TAX, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 219, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF DAVIDSON, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 330, A BILL TO BE ENTITLED AN ACT TO MAKE THE OBSTRUCTION OF STREAMS AND DITCHES A STRICT LIABILITY OFFENSE, TO INCREASE THE PENALTIES FOR THE OBSTRUCTION OF STREAMS AND DITCHES, AND TO REDEFINE THE AUTHORITY OF FOREST LAW ENFORCEMENT OFFICERS TO ENFORCE THE PROHIBITION AGAINST OBSTRUCTION OF STREAMS AND DITCHES, is read the first time and referred to the Committee on Environment.

S.B. 350, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STATE LIBRARY SHALL ADMINISTER STATE PUBLICATION GUIDELINES, is read the first time and referred to the Committee on State Government.

S.B. 353, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP AND APPOINTMENT OF THE STATE LIBRARY COMMISSION, is read the first time and referred to the Committee on State Government.

S.B. 354, A BILL TO BE ENTITLED AN ACT TO REVISE THE DUTIES OF THE MEMBERS OF THE STATE LIBRARY COMMISSION, is read the first time and referred to the Committee on State Government.

Committee Substitute for **S.B. 397**, A BILL TO BE ENTITLED AN ACT TO INCREASE AND MAKE UNIFORM THE FEES FOR COPYING A FILED DOCUMENT, COMPARING A COPY TO THE ORIGINAL FILED DOCUMENT, AND CERTIFYING A DOCUMENT UNDER THE BUSINESS CORPORATION ACT, THE NON-PROFIT CORPORATION ACT, AND THE REVISED UNIFORM LIMITED PARTNERSHIP ACT, is read the first time and referred to the Committee on Finance.

S.B. 400, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF CULTURAL RESOURCES SHALL ISSUE ARCHAEOLOGICAL PERMITS, is read the first time and referred to the Committee on State Government.

S.B. 413, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATUTORY DESCRIPTION OF THE STATE FLAG, is read the first time and referred to the Committee on State Government.

Committee Substitute for **S.B. 425**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE PERSONNEL COMMISSION TO ADOPT RULES FOR DISCIPLINARY ACTIONS, is read the first time and referred to the Committee on Public Employees.

S.B. 507, A BILL TO BE ENTITLED AN ACT TO DELETE BOND REQUIREMENTS FOR SEED DEALERS AND FERTILIZER MANUFACTURERS, is read the first time and referred to the Committee on Agriculture.

S.B. 509, A BILL TO BE ENTITLED AN ACT REGARDING DESIGNATION OF AGRICULTURAL PRODUCTS PRODUCERS' AGENCIES FOR THE PURPOSE OF FEDERAL COMMODITY ASSESSMENT PROGRAMS, is read the first time and referred to the Committee on Agriculture.

Committee Substitute for **S.B. 539**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF REVENUE TO ESTABLISH THE TIME PERIOD FOR STAMPING CIGARETTES, is read the first time and referred to the Committee on Finance.

S.B. 585, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO CHANGE THE MANNER IN WHICH CORNER LOT RELIEF FROM SPECIAL ASSESSMENTS FOR WATER AND SEWER PROJECTS IS CALCULATED, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 607, A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN COUNTIES TO USE PROPERTY TAX FUNDS FOR HOUSING REHABILITATION PROGRAMS ALREADY AUTHORIZED BY LAW, is read the first time and referred to the Committee on Finance.

S.B. 658, A BILL TO BE ENTITLED AN ACT REGARDING THE CONTRACTS OF SUPERINTENDENTS OF LOCAL BOARDS OF EDUCATION, is read the first time and referred to the Committee on Education.

S.B. 689, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING CREATION OF A JOINT TENANCY WITH RIGHT OF SURVIVORSHIP, is read the first time and referred to the Committee on Judiciary I.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 34**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATIONS OF THE DEBT COLLECTION PRACTICES ACTS.

On motion of Representative Hasty, the House concurs in the Senate committee substitute, by electronic vote (98-1), and the bill is ordered enrolled.

H.B. 573, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE ALL OF THE SCHOOL ADMINISTRATIVE UNITS IN GUILFORD COUNTY OR TO PROVIDE FOR THE TWO CITY SCHOOL ADMINISTRATIVE UNITS IN THAT COUNTY TO HAVE BOUNDARIES COTERMINOUS WITH THE CITIES, SUBJECT TO A REFERENDUM.

On motion of Representative Jarrell, Committee Amendment No. 1 is adopted.

Representative Warner offers Amendment No. 2.

Representative Warner calls the previous question on the amendment.

Representative Jeralds moves that the call for the previous question be postponed indefinitely.

Representative Jeralds withdraws the motion that the call for the previous question be postponed indefinitely.

The call for the previous question is sustained by electronic vote (95-4).

Amendment No. 2 fails of adoption by electronic vote (38-70).

On motion of Representative Gist, **H.B. 573** is temporarily displaced.

On motion of Representative Gist, the rules are suspended in order that message from Senate may be read.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 457, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE ALL OF THE SCHOOL ADMINISTRATIVE UNITS IN GUILFORD COUNTY OR TO PROVIDE FOR THE TWO CITY SCHOOL ADMINISTRATIVE UNITS IN THE COUNTY TO HAVE BOUNDARIES COTERMINOUS WITH THE CITIES, SUBJECT TO A REFERENDUM, is read the first time.

On motion of Representative Lineberry, the rules are suspended and the bill is placed on the Calendar for May 2 for its second roll call reading.

On motion of Representative Gist, further consideration of **H.B. 573** is postponed until May 3.

CALENDAR (continued)

H.B. 591, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ROCKINGHAM COUNTY TO LEVY A ROOM OCCUPANCY AND

TOURISM DEVELOPMENT TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Ethridge, Fitch, Fletcher, Foster, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kennedy, Kerr, Kimsey, Lewis, Lilley, Loflin, Lutz, McAllister, McGee, McLaughlin, Mercer, Michaux, Morgan, Nesbitt, Oldham, Pope, Privette, Ramsey, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 101.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Esposito, Flaherty, Greenwood, Kahl, McLawhorn, Nye, and Stewart - 7.

Committee Substitute for H.B. 681, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ANNEXATION OF CAROLINA MILLS, INC., PROPERTY BY THE TOWN OF VALDESE AFTER A FIXED PERIOD OF TIME, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Ethridge, Fitch, Fletcher, Foster, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kennedy, Kerr, Kimsey, Lewis, Lilley, Loflin, Lutz, McAllister, McGee, McLaughlin, Mercer, Michaux, Morgan, Nesbitt, Oldham, Pope, Privette, Ramsey, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 101.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Esposito, Flaherty, Greenwood, Kahl, McLawhorn, Nye, and Stewart - 7.

H.B. 757, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DUNN TO IMPOSE FACILITY FEES.

On motion of Representative Wicker, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Ethridge, Fitch, Fletcher, Foster, Gamble, Gardner, Gottovi, Grady, Gray, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kennedy, Kerr, Lewis, Lilley, Loflin, Luebke, Lutz, McGee, McLaughlin, Mavretic, Mercer, Michaux, Morgan, Nesbitt, Oldham, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 95.

Voting in the negative: Representatives Grimmer, Kimsey, and Ligon - 3.

Excused absences: Representatives Esposito, Flaherty, Greenwood, Kahl, McLawhorn, Nye, and Stewart - 7.

H.B. 682, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FINE FOR VIOLATIONS OF CERTAIN NEW HANOVER COUNTY ORDINANCES AND OF CERTAIN ORDINANCES OF THE MUNICIPALITIES THEREIN, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 685, A BILL TO BE ENTITLED AN ACT REGARDING DISCOUNTS FOR PAYMENTS OF PROPERTY TAX IN SURRY COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 711, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE ORIGINAL NAME OF SR 1632 IN CRAVEN COUNTY AS "NEW ROAD", passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 712, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING ON, FROM, OR ACROSS THE RIGHT-OF-WAY OF N.C. HIGHWAY 55 AND N.C. HIGHWAY 306 IN PAMLICO COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 730, A BILL TO BE ENTITLED AN ACT TO ALLOW PASQUOTANK COUNTY TO LEASE CERTAIN LAND FOR TWENTY-FIVE YEARS.

On motion of Representative James, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 785, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PAMLICO COUNTY SCHOOL BOARD TO CONVEY TO HOBUCKEN COMMUNITY DEVELOPMENT, INC., CERTAIN SCHOOL PROPERTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 794, A BILL TO BE ENTITLED AN ACT TO ALLOW SAMPSON COUNTY TO ACQUIRE PROPERTY FOR USE BY THE SAMPSON COUNTY BOARD OF EDUCATION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 811, A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM OF OFFICE OF THE MADISON COUNTY TAX COLLECTOR FROM TWO YEARS TO FOUR YEARS BEGINNING IN 1992, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 664, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF FARMVILLE,** passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 482, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAWS ON THIRD PARTY ADMINISTRATORS,** passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnhill, Beard, Black, Bowen, Bowie, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Diamont, Dickson, Dockham, Easterling, Ethridge, Fitch, Foster, Gamble, Gardner, Gist, Gottovi, Gray, Grimmer, Hackney, Hasty, Hensley, Hightower, Holmes, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kennedy, Kimsey, Lewis, Ligon, Lilley, Loflin, Luebke, Lutz, McGee, McLaughlin, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers,

Russell, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Withrow, and Wood - 90.

Voting in the negative: None.

Excused absences: Representatives Esposito, Flaherty, Greenwood, Kahl, McLawhorn, Nye, and Stewart - 7.

Committee Substitute for **H.B. 965**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADVANCEMENT OF FUNDS FOR REVENUE BOND PROJECTS BY POLITICAL SUBDIVISIONS AND THE REPAYMENT OF THESE ADVANCES FROM REVENUE BOND PROCEEDS, AND TO PROVIDE FOR THE APPOINTMENT OF COUNTY AND CITY OFFICIALS TO GOVERNING BOARDS OF AUTHORITIES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnhill, Beard, Black Bowen, Bowie, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Diamont, Dickson, Dockham, Easterling, Fitch, Foster, Gardner, Gist, Gottovi, Gray, Grimmer, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, R. Hunter, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kennedy, Kimsey, Lewis, Ligon, Lilley, Loflin, Luebke, Lutz, McGee, McLaughlin, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Oldham, Privette, Ramsey, Redwine, Rhodes, Rhyme, Rogers, Russell, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, and Wood - 84.

Voting in the negative: None.

Excused absences: Representatives Esposito, Flaherty, Greenwood, Kahl, McLawhorn, Nye, and Stewart - 7.

H.B. 87, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO SHIFT THE ELECTION OF THE GOVERNOR AND OTHER COUNCIL OF STATE MEMBERS TO NONPRESIDENTIAL EVEN-NUMBERED YEARS.

On motion of Representative Diamont, the bill is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

H.B. 309, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO CHAPTER 84 OF THE GENERAL STATUTES RELATING TO OUT-OF-STATE ATTORNEYS, PREPAID LEGAL SERVICES, DEPOSITS OF THE STATE BAR, BOARD OF LAW EXAMINERS RECORDS, AND ATTORNEY DISCIPLINE AND DISBARMENT.

The bill, as amended, passes its third reading, by electronic vote (84-0), and is ordered engrossed and sent to the Senate.

H.B. 417, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN ACTION UNDER THE CHAPTER OF LAW CONCERNING

DIVORCE AND ALIMONY TO PROTECT THE PROPERTY OF AN INCOMPETENT SPOUSE BUT TO PREVENT THE ENTRY OF A DIVORCE DECREE ON BEHALF OF THE INCOMPETENT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative Hackney, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

Committee Substitute for **H.B. 442**, A BILL TO BE ENTITLED AN ACT TO REQUIRE NOTIFICATION TO THE DISTRICT ATTORNEY, THE VICTIM, THE VICTIM'S FAMILY, AND THE ARRESTING LAW ENFORCEMENT AGENCY WHENEVER A PRISONER IS BEING CONSIDERED FOR PAROLE.

Representative Miller offers Amendment No. 1.

Representative Miller withdraws Amendment No. 1.

REPRESENTATIVE JACK HUNT, CHAIRMAN, RULES, APPOINTMENTS AND CALENDAR, PRESIDING.

The bill passes its second reading by electronic vote (98-0).

Representative Miller objects to the third reading. The bill remains on the Calendar.

H.B. 848, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REQUIREMENTS CONCERNING THE INDEXING AND FILING OF CERTAIN UCC STATEMENTS.

On motion of Representative Redwine, consideration of the bill is postponed until May 2.

H.B. 849, A BILL TO BE ENTITLED AN ACT TO REQUIRE REGISTERS OF DEEDS TO RECORD AS SEPARATE INSTRUMENTS ALL SUBSEQUENT ENTRIES REGARDING DEEDS OF TRUST, MORTGAGES, AND OTHER INSTRUMENTS AS SEPARATE INSTRUMENTS.

On motion of Representative Redwine, consideration of the bill is postponed until May 2.

H.B. 638, A BILL TO BE ENTITLED AN ACT EXTENDING THE EXTRATERRITORIAL JURISDICTION OF THE TOWN OF MONTREAT.

On motion of Representative Colton, consideration of the bill is postponed until May 7.

Committee Substitute for **H.B. 204**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SOCIAL SERVICES COMMISSION TO ADOPT RULES PERTAINING TO THE EDUCATION REQUIREMENTS FOR DOMICILIARY HOMES.

Representative Colton offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (94-0).

Representative Rhyne objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 5**, A BILL TO BE ENTITLED AN ACT TO RAISE THE MINIMUM WAGE AND TO AUTHORIZE A TRAINING WAGE.

On motion of Representative Beall, consideration of the bill is postponed until May 3.

Committee Substitute for **H.B. 344**, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES CONCERNING WATER POLLUTION PERMITS.

Representative Michaux offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (88-0).

Representative Howard objects to the third reading. The bill remains on the Calendar.

SPEAKER BLUE PRESIDING.

Representative Jack Hunt moves, seconded by Representative Rhyne, subject to the reading of notices and announcements, that the House do adjourn. This motion carries.

The House adjourns at 4:49 p.m. to reconvene May 2 at 1:30 p.m.

FIFTY-SIXTH DAY

HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of May 1 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (88-0).

Leaves of absence are granted Representatives Gamble, Green, Greenwood, and Kerr for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Hardaway for the Committee on Commerce:

H.B. 381, A BILL TO BE ENTITLED AN ACT TO COMPLY WITH CONGRESSIONAL CHANGES IN OSHA, with a favorable report.

By Representative Dawkins for the Committee on Judiciary II:

H.B. 425, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE HEALTH CARE PERSONNEL TO PROVIDE VOLUNTEER MEDICAL SERVICES AT LOCAL HEALTH DEPARTMENTS AND NONPROFIT COMMUNITY HEALTH CENTERS BY PROVIDING FOR LIMITED TORT LIABILITY PROTECTION, with a favorable report.

H.B. 445, A BILL TO BE ENTITLED AN ACT TO ALLOW DEPARTMENT OF REVENUE EMPLOYEES TO LEVY ON TAXPAYERS' PERSONAL PROPERTY TO COLLECT TAXES TO THE SAME EXTENT AS A LOCAL TAX COLLECTOR, with a favorable report.

H.B. 771, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "INJURY" FOR PURPOSES OF THE WORKERS' COMPENSATION ACT, with a favorable report.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Beard for the Permanent Subcommittee on Insurance of the Standing Committee on Commerce, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 621, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENTS FOR CONTINUING EDUCATION OF INSURANCE LICENSEES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 6. The original bill is placed on the Unfavorable Calendar.

H.B. 717, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPECIFIC LICENSING OF RENTAL CAR COMPANY PERSONNEL WHO ACT AS AGENTS FOR INSURERS IN THE SALE OF INSURANCE COVERAGE RELATED TO THE SHORT-TERM RENTAL OF MOTOR VEHICLES, with a favorable report.

H.B. 725, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELIGIBILITY FOR GRANTS UNDER THE VOLUNTEER RESCUE/EMS FUND, with a favorable report.

H.B. 788, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR OPTIONS FOR CERTAIN BOND REQUIREMENTS OF VARIOUS LICENSEES OF THE DEPARTMENT OF INSURANCE, with a favorable report.

H.B. 846, A BILL TO BE ENTITLED AN ACT TO AMEND INSURANCE LAWS RELATING TO INSURANCE PREMIUM FINANCING, with a favorable report.

H.B. 851, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TO THE EXTENT A COUNTY PROVIDES LIABILITY

INSURANCE TO COUNTY OFFICERS OR EMPLOYEES IT SHALL PROVIDE LIABILITY INSURANCE TO THE REGISTER OF DEEDS, with a favorable report.

H.B. 902, A BILL TO BE ENTITLED AN ACT TO REMOVE FARM COVERAGES FROM THE JURISDICTION OF THE NORTH CAROLINA RATE BUREAU, with a favorable report.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Kennedy for the Committee on Judiciary I:

H.B. 709, A BILL TO BE ENTITLED AN ACT TO PROVIDE A MECHANISM TO ESTABLISH A STATEWIDE, AUTOMATED PROGRAM FOR THE CHEMICAL TESTING FOR ALCOHOL IN IMPAIRED DRIVERS AND TO MAKE THE ADMINISTRATION OF THAT PROGRAM MORE EFFECTIVE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representative Colton for the Committee on Ethics:

H.B. 89, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REGISTRATION AND REPORTING REQUIREMENTS FOR LOBBYISTS AND THEIR PRINCIPALS, TO PROHIBIT CAMPAIGN FUND-RAISING FROM LOBBYISTS FOR LEGISLATORS AND COUNCIL OF STATE MEMBERS WHILE THE GENERAL ASSEMBLY IS IN REGULAR SESSION, AND TO REQUIRE A TWO-YEAR WAIT AFTER THEY LEAVE OFFICE BEFORE LOBBYING MAY BE DONE BY FORMER MEMBERS AND PRESIDING OFFICERS OF THE GENERAL ASSEMBLY, FORMER COUNCIL OF STATE MEMBERS, AND FORMER CABINET SECRETARIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 6. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Colton, the bill is withdrawn from the Calendar for May 6 and placed on the Calendar for May 7.

By Representative Michaux for the Committee on Courts, Justice, Constitutional Amendments and Referenda:

H.B. 105, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR USE OF DRIVERS LICENSE APPLICATIONS AND APPLICATIONS FOR SPECIAL IDENTIFICATION CARDS AS APPLICATIONS FOR VOTER REGISTRATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H.B. 324, A BILL TO BE ENTITLED AN ACT TO REQUIRE COUNTY BOARDS OF ELECTIONS TO FILE CERTIFIED COPIES OF CERTAIN ELECTION RETURNS WITH THE SECRETARY OF

STATE IN A FORMAT PRESCRIBED BY THE SECRETARY OF STATE, SO AS TO ALLOW PUBLICATION OF THE RETURNS IN A TIMELY MANNER AND IN A READILY ACCESSIBLE FORMAT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 6. The original bill is placed on the Unfavorable Calendar.

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 8, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE HIGHWAY TRUST FUND AND TO MAKE TECHNICAL CHANGES TO THE LAWS AFFECTED BY THE HIGHWAY TRUST FUND, with recommendation that the House do not concur; request conferees.

On motion of Representative Hackney, the House does not concur in the Senate amendments and conferees are requested.

H.B. 23, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FUEL TAX STATUTES TO ENABLE NORTH CAROLINA TO ENTER THE INTERNATIONAL FUEL TAX AGREEMENT AND TO EXEMPT CERTAIN MOTOR VEHICLES AND THEIR DRIVERS ENGAGED IN INTRASTATE COMMERCE FROM REQUIREMENTS THAT APPLY TO VEHICLES AND THEIR DRIVERS ENGAGED IN INTERSTATE COMMERCE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 6. The original bill is placed on the Unfavorable Calendar.

H.B. 66, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with an indefinite postponement report.

H.B. 784, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HYDE COUNTY TO LEVY A ROOM OCCUPANCY TAX, with a favorable report.

By Representative Stamey for the Committee on Transportation:

H.B. 282, A BILL TO BE ENTITLED AN ACT TO EXTEND THE EXPIRATION DATE FOR PRIVATE CONTRACT PARTICIPATION BY THE DEPARTMENT OF TRANSPORTATION, with a favorable report.

H.B. 299, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE DESIGNATION OF TRUCK ROUTES, with a favorable report.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Lineberry for the Permanent Subcommittee on Small Business of the Standing Committee on Economic Expansion,

with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 347, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COUNTY TAX ASSESSOR SHALL MAKE CERTAIN TAXPAYER BUSINESS RECORDS AVAILABLE TO THE EMPLOYMENT SECURITY COMMISSION ON REQUEST, with a favorable report.

By Representative Chapin for the Permanent Subcommittee on Aquaculture and Marine Fisheries of the Standing Committee on Agriculture, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 554, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONTROL OF AQUATIC WEEDS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 6. The original bill is placed on the Unfavorable Calendar.

By Representative Thompson for the Permanent Subcommittee on Solid Waste:

H.B. 97, A BILL TO BE ENTITLED AN ACT TO AID RECYCLING EFFORTS BY REQUIRING DISPOSABLE GLASS CONTAINERS TO BE A UNIFORM COLOR, reported to the Standing Committee on Environment, with an indefinite postponement report.

Representative Thompson for the Permanent Subcommittee on Solid Waste of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 136, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISPOSAL OF CERTAIN CLASSES OF SOLID WASTE BY INCINERATION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 6. The original bill is placed on the Unfavorable Calendar.

H.B. 758, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A CITY TO REQUIRE AN OWNER OR A TENANT OF AN INHABITED BUILDING IN THE CITY TO PARTICIPATE IN ANY SOLID WASTE COLLECTION SERVICE PROVIDED BY THE CITY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 6. The original bill is placed on the Unfavorable Calendar.

By Representative J. W. Crawford for the Permanent Subcommittee on Water, Air and Soil of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 25**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ESTABLISH A COMMUNITY SERVICE PROGRAM; AND TO REQUIRE THAT COMMUNITY SERVICE MUST BE PERFORMED IN EXCHANGE FOR REMITTED FINES, with a favorable report.

H.B. 448, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF STOP-WORK ORDERS FOR VIOLATIONS OF THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 6. The original bill is placed on the Unfavorable Calendar.

H.B. 449, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE SEDIMENTATION POLLUTION CONTROL ACT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 6. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representative Hardaway, Chairman for the Standing Committee on Commerce, refers:

H.B. 826, A BILL TO BE ENTITLED AN ACT TO INCREASE THE REQUIRED MINIMUM FINANCIAL RESPONSIBILITY FOR PROPERTY DAMAGE, to the Permanent Subcommittee on Insurance.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Mercer:

H.B. 1144, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SOUTHEASTERN REGIONAL MENTAL HEALTH CENTER FOR ADULT DEVELOPMENTAL ACTIVITY PROGRAMS' TRANSPORTATION, is referred to the Committee on Appropriations.

By Representatives Ligon and Gardner:

H.B. 1145, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE SPENCER SHOPS STATE HISTORIC SITE, is referred to the Committee on Appropriations.

By Representative Lilley:

H.B. 1146, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXAMINATION FEE FOR LANDSCAPE CONTRACTOR LICENSE APPLICANTS, is referred to the Committee on Finance.

By Representatives Ethridge, Bowman, and Wainwright:

H.B. 1147, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR NORTH CAROLINA HEAD START CAPITAL IMPROVEMENT AND SERVICES, is referred to the Committee on Appropriations.

By Representatives Colton, N. J. Crawford, Greenwood, and Nesbitt:

H.B. 1148, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE BUNCOMBE SPECIALIZED TRANSPORTATION SYSTEM (BOOST) FOR ELDERLY AND HANDICAPPED PERSONS, is referred to the Committee on Appropriations.

By Representatives Colton, N. J. Crawford, Greenwood, and Nesbitt:

H.B. 1149, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PENNSYLVANIA DISPUTE SETTLEMENT CENTER, INC., is referred to the Committee on Appropriations.

By Representative Holt:

H.B. 1150, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF ESTABLISHING A STATE PARK ON THE MAYO RIVER IN ROCKINGHAM COUNTY, is referred to the Committee on Appropriations.

By Representative Holt:

H.B. 1151, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA ASSOCIATION FOR RETARDED CITIZENS' LIFEGUARDIANSHIP PROGRAM, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 107**, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY AND MODERNIZE PRIVILEGE LICENSE TAXES RELATING TO DRY CLEANERS AND LAUNDRIES, is read the first time and referred to the Committee on Finance.

Committee Substitute for **S.B. 368**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF MONROE TO DISPOSE OF CERTAIN PROPERTY ACQUIRED BY EMINENT DOMAIN, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 455, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONTROL OF AQUATIC WEEDS, is read the first time and referred to the Committee on Agriculture.

Committee Substitute for **S.B. 473**, A BILL TO BE ENTITLED AN ACT TO REPEAL G.S. 47-8, TO PROTECT THE EFFICACY OF

CERTAIN JUDGMENTS ENTERED IN RELIANCE UPON DOCUMENTS NOTARIZED BY ATTORNEYS AND TO VALIDATE CERTAIN ACTS OF NOTARIES PUBLIC, is read the first time and referred to the Committee on Judiciary III.

S.B. 551, A BILL TO BE ENTITLED AN ACT TO PERMIT THE UTILITIES COMMISSION TO EXEMPT CELLULAR FROM REGULATION UNDER CHAPTER 62, is read the first time and referred to the Committee on Public Utilities.

S.B. 669, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A PORK PROMOTION ASSESSMENT, is read the first time and referred to the Committee on Agriculture.

Committee Substitute for **S.B. 686, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO CLARIFY THE CONFLICT OF INTEREST LAW RELATING TO BOARDS OF DIRECTORS OF HOSPITAL, MEDICAL, AND DENTAL SERVICE CORPORATIONS,** is read the first time and referred to the Committee on Judiciary II.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 34, AN ACT TO INCREASE THE PENALTIES FOR VIOLATIONS OF THE DEBT COLLECTION PRACTICES ACTS. (CHAPTER 68)

CALENDAR

Action is taken on the following:

S.B. 457, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE ALL OF THE SCHOOL ADMINISTRATIVE UNITS IN GUILFORD COUNTY OR TO PROVIDE FOR THE TWO CITY SCHOOL ADMINISTRATIVE UNITS IN THE COUNTY TO HAVE BOUNDARIES COTERMINOUS WITH THE CITIES, SUBJECT TO A REFERENDUM.

Representative Gist offers Amendment No. 1 which is adopted.

Representative Decker offers Amendment No. 2.

On motion of Representative Gist, seconded by Representative Barnes, Amendment No. 2 is tabled by electronic vote (59-43).

Representative Decker offers Amendment No. 3.

On motion of Representative Lineberry, seconded by Representative Jarrell, Amendment No. 3 is tabled by electronic vote (67-38).

Representative Gist calls the previous question on the passage of the bill.

Representative Decker moves that the call for the previous question be postponed indefinitely. This motion fails by electronic vote (35-76).

The call for the previous question on the passage of the bill is sustained.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Buchanan, Chapin, Colton, N. J. Crawford, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Easterling, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gist, Gottovi, Gray, Hackney, Hardaway, Hasty, Hensley, Hightower, Holt, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Ramsey, Redwine, Robinson, Rogers, Smith, Stamey, Stewart, Thompson, Wainwright, Wicker, Wilmoth, Withrow, and Woodard - 82.

Voting in the negative: Representatives Abernethy, Balmer, Barbee, Brown, Brubaker, Creech, Culp, Decker, Dockham, Esposito, Gardner, Grady, Grimmer, Hege, Holmes, Howard, Huffman, Justus, Kimsey, Lewis, Ligon, Pope, Privette, Rhodes, Rhyne, Russell, Tallent, Warner, Wilson, and Wood - 30.

Excused absences: Representatives Gamble, Green, Greenwood, and Kerr - 4.

H.B. 591, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ROCKINGHAM COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.

On motion of Representative Wilson, consideration of the bill is postponed until May 3.

Committee Substitute for **H.B. 681, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ANNEXATION OF CAROLINA MILLS, INC., PROPERTY BY THE TOWN OF VALDESE AFTER A FIXED PERIOD OF TIME**, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnhill, Beall, Beard, Black, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Gardner, Gottovi, Grady, Gray, Grimmer, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Privette, Ramsey, Redwine, Rhodes, Robinson, Rogers, Russell, Smith, Stewart, Tallent,

Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 99.

Voting in the negative: None.

Excused absences: Representatives Gamble, Green, Greenwood, and Kerr - 4.

H.B. 757, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DUNN TO IMPOSE FACILITY FEES.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

The voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Beall, Beard, Black, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, N. J. Crawford, Creech, Culp, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Gottovi, Grady, Gray, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, Isenhower, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McGee, Mavretic, Mercer, Michaux, Miller, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 95.

Voting in the negative: Representatives Grimmer and Ligon - 2.

Excused absences: Representatives Gamble, Green, Greenwood, and Kerr - 4.

H.B. 637, A BILL TO BE ENTITLED AN ACT TO EXPAND AND REDISTRICT THE GUILFORD COUNTY BOARD OF COMMISSIONERS, passes its second reading.

Representative Decker objects to the third reading. The bill remains on the Calendar.

Representative Decker withdraws his objection to the third reading.

On motion of Representative Decker, consideration of the bill is postponed until May 3 by electronic vote (69-22).

H.B. 465, A BILL TO BE ENTITLED AN ACT TO LIMIT THE SALES OF MALT BEVERAGES IN THE CITY OF COLUMBIA, TYRRELL COUNTY, passes its second reading.

Representative Decker objects to the third reading. The bill remains on the Calendar.

Representative Decker withdraws his objection to the third reading.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 701, A BILL TO BE ENTITLED AN ACT TO ELIMINATE LEGISLATIVE APPOINTMENTS TO THE BOARD OF EDUCATION FOR THE PUBLIC SCHOOLS OF ROBESON COUNTY, passes its second reading.

Representative Decker objects to the third reading. The bill remains on the Calendar.

Representative Decker withdraws his objection to the third reading.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 727, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE TOWN OF TARBORO FROM THE TIME LIMITATION IN G.S. 160A-58.2 FOR THE EFFECTIVE DATE OF AN ANNEXATION ORDINANCE, passes its second reading.

Representative Decker objects to the third reading. The bill remains on the Calendar.

Representative Decker withdraws his objection to the third reading.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 738, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO WITHHOLD FUTURE APPROVALS FROM A PERSON WITH OUTSTANDING ZONING AND SUBDIVISION ORDINANCE VIOLATIONS, passes its second reading.

Representative Decker objects to the third reading. The bill remains on the Calendar.

Representative Decker withdraws his objection to the third reading.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 760, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWNS OF ANGIER, ERWIN, AND LILLINGTON AND THE CITY OF DUNN TO: (1) SEND ONE BILL THAT INCLUDES THE ITEMIZED FEES FOR SOLID WASTE, WATER, AND SEWAGE SERVICES, AND (2) TERMINATE ANY OR ALL SUCH SERVICES IN THE CASE OF NONPAYMENT, WITHIN THIRTY DAYS, OF THE TOTAL AMOUNT DUE FOR ALL SUCH SERVICES COMBINED, passes its second reading.

Representative Decker objects to the third reading. The bill remains on the Calendar.

Representative Decker withdraws his objection to the third reading.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 772, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO FILE WITH THE REGISTER OF DEEDS A NOTICE OF SPECIAL CONDITIONS ATTACHED TO THE ZONING OF PROPERTY, passes its second reading.

Representative Decker objects to the third reading. The bill remains on the Calendar.

Representative Decker withdraws his objection to the third reading.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 790, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE TOWN OF FAISON FROM CERTAIN NOTICE REQUIREMENTS AND TO EXTEND THE TOWN OF FAISON'S EXTRATERRITORIAL JURISDICTION, passes its second reading.

Representative Decker objects to the third reading. The bill remains on the Calendar.

Representative Decker withdraws his objection to the third reading.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 797, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF AUTRYVILLE, passes its second reading.

Representative Decker objects to the third reading. The bill remains on the Calendar.

Representative Decker withdraws his objection to the third reading.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 798, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM PUBLIC ROADS IN SAMPSON COUNTY, passes its second reading.

Representative Decker objects to the third reading. The bill remains on the Calendar.

Representative Decker withdraws his objection to the third reading.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 442**, A BILL TO BE ENTITLED AN ACT TO REQUIRE NOTIFICATION TO THE DISTRICT ATTORNEY, THE VICTIM, THE VICTIM'S FAMILY, AND THE ARRESTING LAW ENFORCEMENT AGENCY WHENEVER A PRISONER IS BEING CONSIDERED FOR PAROLE.

On motion of Representative Wicker, consideration of the bill is postponed until May 3.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Hasty for the Committee on Economic Expansion:

H.B. 455, A BILL TO BE ENTITLED AN ACT TO CONFORM CERTAIN PROVISIONS OF THE WAGE AND HOUR ACT TO FEDERAL LAW, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 6. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

Committee Substitute for **H.B. 204**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SOCIAL SERVICES COMMISSION TO ADOPT RULES PERTAINING TO THE EDUCATION REQUIREMENTS FOR DOMICILIARY HOMES.

The bill, as amended, passes its third reading, by electronic vote (94-0), and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 344**, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES CONCERNING WATER POLLUTION PERMITS.

The bill, as amended, passes its third reading, by electronic vote (94-0), and is ordered engrossed and sent to the Senate.

H.B. 474, A BILL TO BE ENTITLED AN ACT TO PERMIT THE COMMISSIONER OF LABOR TO IMPOSE PENALTIES AGAINST PUBLIC AGENCIES FOR OSHA VIOLATIONS.

Representative Payne moves that the rules be suspended in order to speak on the bill a third time. This motion carries.

Representative Payne calls the previous question on the passage of the bill and the call is sustained.

The bill passes its second reading, by electronic vote (63-34), and there being no objection is read a third time.

Representative Anderson offers Amendment No. 1 which fails of adoption by electronic vote (41-56).

The bill passes its third reading and is ordered sent to the Senate.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Mavretic for the Committee on State Government:

H.B. 36, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE GENERAL CONTRACTORS LICENSING BOARD AND THE CODE OFFICIALS QUALIFICATION BOARD TO IMPLEMENT RECOMMENDATIONS OF THE STATE AUDITOR AND TO REPORT IMPLEMENTATION STATUS TO THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS, with a favorable report.

H.B. 37, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A HOMEOWNERS RECOVERY FUND UNDER THE SUPERVISION OF THE GENERAL CONTRACTORS LICENSING BOARD, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 38, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA RESIDENTIAL CONTRACTORS REVIEW COMMITTEE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 6. The original bill is placed on the Unfavorable Calendar.

H.B. 353, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AMENDMENTS TO THE PHARMACY PRACTICE ACT, with a favorable report.

By Representative R. Hunter for the Committee on Judiciary III:

H.B. 640, A BILL TO BE ENTITLED AN ACT TO PERMIT ADOPTIVE PARENTS TO PAY MEDICAL EXPENSES OF THE CHILD'S BIOLOGICAL MOTHER, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute is placed on the Calendar for May 6. The original bill is placed on the Unfavorable Calendar.

H.B. 753, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR BROADER POWERS FOR HOSPITAL, MEDICAL AND DENTAL SERVICE CORPORATIONS TO PROVIDE FOR INDEMNIFICATION OF INSURANCE FOR OFFICERS AND DIRECTORS, with a favorable report.

H.B. 829, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A REBUTTABLE PRESUMPTION THAT PROPERTY ACQUIRED DURING MARRIAGE IS MARITAL PROPERTY EXCEPT UNDER CERTAIN CIRCUMSTANCES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 6. The original bill is placed on the Unfavorable Calendar.

H.B. 944, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 1-288 REGARDING THE TIME FOR TAKING APPEAL IN FORMA PAUPERIS IN ORDER TO CONFORM THIS STATUTE TO THE RULES OF APPELLATE PROCEDURE, with a favorable report, as amended.

H.B. 966, A BILL TO BE ENTITLED AN ACT TO ALLOW DISSOLUTION OF SANITARY DISTRICTS FOR WHICH NO DISTRICT BOARD MEMBERS HAVE BEEN ELECTED FOR EIGHT YEARS, with a favorable report, as amended.

H.B. 980, A BILL TO BE ENTITLED AN ACT TO RENAME THE DIVISION OF CRIMINAL STATISTICS AND TO AUTHORIZE IT TO PROVIDE CRIMINAL RECORD CHECKS TO EMPLOYEES WHO PROVIDE DIRECT CAREGIVING SERVICES TO THE PUBLIC, with a favorable report.

CALENDAR (continued)

Committee Substitute for **H.B. 520**, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LIABILITY OF PERSONS RESPONDING TO OIL SPILLS.

Representative Hackney offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (83-5).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

H.B. 690, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE ASSIGNMENT OF COUNSEL FOR INDIGENT PERSONS, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 767**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PERCENTAGE OF SALES THAT MUST BE ATTRIBUTABLE TO FOOD AND NONALCOHOLIC BEVERAGES BY RESTAURANT PERMITTEES.

Representative Payne calls the previous question on the passage of the bill and the call is sustained.

The bill fails to pass its second reading by electronic vote (34-62).

H.B. 848, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REQUIREMENTS CONCERNING THE INDEXING AND FILING OF CERTAIN UCC STATEMENTS.

Representative Hackney offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (89-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 849, A BILL TO BE ENTITLED AN ACT TO REQUIRE REGISTERS OF DEEDS TO RECORD AS SEPARATE INSTRUMENTS ALL SUBSEQUENT ENTRIES REGARDING DEEDS OF TRUST, MORTGAGES, AND OTHER INSTRUMENTS AS SEPARATE INSTRUMENTS, passes its second reading, by electronic vote (90-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

REPRESENTATIVE WICKER, HOUSE MAJORITY LEADER, PRESIDING.

H.B. 884, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MANDATORY SEAT BELT LAW, passes its second reading, by electronic vote (90-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 911, A BILL TO BE ENTITLED AN ACT TO PERMIT THE ISSUANCE OF CERTAIN ABC PERMITS TO ALUMNI ASSOCIATIONS ON SCHOOL AND COLLEGE CAMPUSES, passes its second reading, by electronic vote (71-18), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 391, A BILL TO BE ENTITLED AN ACT TO CONFORM THE PETITION REQUIREMENTS FOR UN-AFFILIATED CANDIDATES TO A RECENT COURT RULING**, passes its second reading, by electronic vote (88-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 82, A BILL TO BE ENTITLED AN ACT TO AMEND THE BEDDING SANITATION LAW, passes its second reading, by electronic vote (78-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 562, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE COUNCIL ON THE STATUS OF WOMEN TO THE NORTH CAROLINA COUNCIL FOR WOMEN, passes its second reading, by electronic vote (84-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 655, A BILL TO BE ENTITLED AN ACT TO AMEND THE ELECTION LAWS CONCERNING INFORMATION PROVIDED ON VOTER LISTS AND CONCERNING PROVISION OF COMPUTER DISCS OR TAPES, AND TO PROVIDE THAT REGISTRANTS SHALL BE ASKED TO FURNISH THEIR TELEPHONE NUMBER, AT THEIR OPTION**, passes its second reading, by electronic vote (81-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 750, A BILL TO BE ENTITLED AN ACT TO ALLOW VERIFIABLE LEGAL GUARDIANS TO APPLY FOR AND OTHERWISE HANDLE ABSENTEE BALLOTS FOR THEIR WARD.

On motion of Representative Loflin, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (83-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 544, A BILL TO BE ENTITLED AN ACT CREATING A CIVIL PENALTY FOR BUYING OR SELLING NON-TAX-PAID

FUEL, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 786, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A VIOLATION OF AN ORDINANCE ADOPTED BY A METROPOLITAN SEWERAGE DISTRICT IS A MISDEMEANOR OFFENSE, passes its second reading, by electronic vote (81-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 122, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE STATE AGENCIES AND PUBLIC SCHOOLS TO DEVELOP ON-OR NEAR-SITE DAY CARE FACILITIES FOR THEIR EMPLOYEES.

On motion of Representative Fitch, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (80-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for H.B. 602, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IN FILLING A VACANCY ON THE LINCOLN COUNTY AND MACON COUNTY BOARDS OF COMMISSIONERS, THE NOMINEE OF THE PARTY EXECUTIVE COMMITTEE OF THE VACATING MEMBER MUST BE APPOINTED, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 331, A BILL TO BE ENTITLED AN ACT TO REQUIRE TWO REAR-VISION MIRRORS ON CERTAIN TRUCKS, BUSES, AND TRUCK TRACTORS, passes its second reading, by electronic vote (73-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 473, A BILL TO BE ENTITLED AN ACT TO ESTABLISH POLICIES FOR PURCHASES BY PUBLIC LIBRARIES AND FOR THE USE OF PUBLIC LIBRARY FACILITIES.

On motion of Representative Pope, Committee Amendment No. 1 is adopted.

On motion of Representative Hackney, consideration of the bill is postponed until May 7.

H.B. 838, A BILL TO BE ENTITLED AN ACT TO MAKE THE DESTRUCTION OF ANY CROP, PASTURE, OR PROVENDER A FELONY.

On motion of Representative Michaux, consideration of the bill is postponed until May 7.

H.B. 939, A BILL TO BE ENTITLED AN ACT TO MAKE IT CLEAR THAT A MEDIATION OR OTHER DISPUTE SETTLEMENT CENTER IS NOT A COLLECTION AGENCY AND THEREFORE NOT SUBJECT TO REGULATION PURSUANT TO ARTICLE 9C OF CHAPTER 66 OF THE GENERAL STATUTES, passes its second reading by electronic vote (88-0).

Representative Wilson objects to the third reading. The bill remains on the Calendar.

Representative Wilson withdraws her objection to the third reading.

The bill passes its third reading and is ordered sent to the Senate.

SPEAKER BLUE PRESIDING.

H.B. 1003, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DEFENDANT, AFTER A FINDING OF PROBABLE CAUSE OR INDICTMENT FOR COMMITTING A NONCONSENSUAL SEX OFFENSE, SHALL BE TESTED FOR AIDS UPON THE REQUEST OF THE VICTIM.

Representative Jones calls the previous question on the passage of the bill and the call is sustained.

The bill passes its second reading by electronic vote (79-17).

Representative Holt objects to the third reading. The bill remains on the Calendar.

H.B. 1026, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CONTRACT CANNOT REQUIRE PARTIES TO BRING AN ACTION OR ARBITRATION PROCEEDING THEREUNDER OUTSIDE THE STATE, passes its second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

RE-REFERRAL

On motion of Representative Barnes, **H.R. 1059**, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Education.

CALENDAR (continued)

S.B. 189, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE AUTHORITY OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES CONCERNING THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS IS THE SAME.

On motion of Representative R. Hunter, consideration of the bill is postponed until May 6.

On motion of Representative Jack Hunt, seconded by Representative McGee, the House adjourns at 6:10 p.m. to reconvene May 3 at 11:00 a.m.

FIFTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES

Friday, May 3, 1991

The House meets at 11:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of May 2 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (76-0).

Leaves of absence are granted Representatives Abernethy, Brawley, Dawkins, Ethridge, Fitch, Fletcher, Gamble, Gottovi, Greenwood, Grimmer, Sam Hunt, Kerr, Rhodes, and Stewart for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Mavretic for the Committee on State Government:

H.B. 116, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE STATE PORTS AUTHORITY FROM THE PROVISIONS OF CHAPTER 143 OF THE GENERAL STATUTES IN THE SELECTION OF ARCHITECTS, ENGINEERS, AND OTHER PROFESSIONAL CONSULTANTS WHERE THE FEE FOR SUCH SERVICES IS LESS THAN THIRTY THOUSAND DOLLARS, with an indefinite postponement report.

H.B. 992, A BILL TO BE ENTITLED AN ACT TO EXPLICITLY AUTHORIZE PREQUALIFICATION OF BIDDERS FOR PUBLIC CONTRACTS, with an indefinite postponement report.

By Representatives Hackney and Miller for the Committee on Finance:

Committee Substitute for **H.B. 54, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE STATUTES RELATING TO CREDIT UNIONS,** with a favorable report.

H.B. 723, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATING ORDINANCES OF THE CITY

OF DURHAM, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 7. The original bill is placed on the Unfavorable Calendar.

By Representative Gist for the Committee on Local and Regional Government I:

H.B. 584, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE LAW ENFORCEMENT OFFICERS OF THE LOCAL GOVERNMENT UNIT DELIVERING A PRISONER TO THE ALBEMARLE DISTRICT JAIL TO PROVIDE TRANSPORTATION FOR THAT PRISONER TO AND FROM THE FACILITY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 7. The original bill is placed on the Unfavorable Calendar.

H.B. 652, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MANNER OF FILLING VACANCIES IN THE OFFICE OF THE REGISTERS OF DEEDS OF CAMDEN, CHOWAN, PASQUOTANK, AND PERQUIMANS COUNTIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 7. The original bill is placed on the Unfavorable Calendar.

H.B. 684, A BILL TO BE ENTITLED AN ACT ALLOWING JOHNSTON COUNTY IN ARRIVING AT THE AMOUNT OF CONSIDERATION FOR AN ECONOMIC DEVELOPMENT CONVEYANCE TO TAKE INTO ACCOUNT PROSPECTIVE REVENUES GENERATED BY THE DEVELOPMENT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 7. The original bill is placed on the Unfavorable Calendar.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Chapin for the Permanent Subcommittee on Aquaculture and Marine Fisheries of the Standing Committee on Agriculture, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 570, A BILL TO BE ENTITLED AN ACT TO MODIFY APPOINTMENTS TO THE MARINE FISHERIES COMMISSION AND TO MAKE OTHER CHANGES TO THE STATUTES CONCERNING MARINE FISHERIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 7. The original bill is placed on the Unfavorable Calendar.

By Representative Foster for the Permanent Subcommittee on Travel, Tourism and Economic Development of the Standing Committee on Economic Expansion, with approval of the standing committee chairman for report to be made directly to the floor of the House:

S.B. 362, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TERM OF OFFICE OF THE MEMBERS OF THE U.S.S. NORTH CAROLINA BATTLESHIP COMMISSION, with a favorable report.

By Representative Jones for the Permanent Subcommittee on Children, Youth and Families of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 956, A BILL TO BE ENTITLED AN ACT TO BAN CORPORAL PUNISHMENT IN DAY CARE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 7. The original bill is placed on the Unfavorable Calendar.

By Representative Jarrell for the Permanent Subcommittee on Airports, Railways and Waterways of the Standing Committee on Transportation, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 834, A BILL TO BE ENTITLED AN ACT TO CREATE A SAFE BOATING ADVISORY COMMITTEE, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative J. W. Crawford for the Permanent Subcommittee on Water, Air and Soil of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 551, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE REQUIREMENTS OF THE 1990 AMENDMENTS TO THE FEDERAL CLEAN AIR ACT, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 913, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PERSONS WHO DERIVE A SIGNIFICANT PORTION OF THEIR INCOME FROM DEVELOPMENT-RELATED BUSINESS ACTIVITIES MAY NOT BE APPOINTED AS AT-LARGE MEMBERS OF THE COASTAL RESOURCES COMMISSION, with a favorable report.

RE-REFERRAL

On motion of Representative Redwine, **H.B. 585**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWNS OF HOLDEN BEACH, LONG BEACH, OCEAN ISLE BEACH, SUNSET BEACH, AND YAUPON BEACH TO ESTABLISH SEA TURTLE SANCTUARIES WITHIN THEIR TOWN LIMITS, is withdrawn from the Permanent Subcommittee on Water, Air and Soil of the Standing Committee on Environment and re-referred to the Committee on Local and Regional Government II.

SUBCOMMITTEE REFERRALS

Representative Stamey, Chairman for the Standing Committee on Transportation, refers:

H.B. 1065, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BOATING SAFETY EDUCATION REQUIREMENT, to the Permanent Subcommittee on Airports, Railways and Waterways.

H.B. 69, A BILL TO BE ENTITLED AN ACT TO PROVIDE SEMIPERMANENT REGISTRATION PLATES FOR MEMBERS OF VOLUNTEER FIRE DEPARTMENTS AND RESCUE SQUADS, to the Permanent Subcommittee on Highways.

H.B. 406, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN TRUCKS REQUIRED TO BE INSPECTED UNDER FEDERAL REGULATIONS FROM HAVING TO ALSO BE INSPECTED UNDER THE STATE INSPECTION PROGRAM, to the Permanent Subcommittee on Highways.

H.B. 437, A BILL TO BE ENTITLED AN ACT TO CREATE A CIVIL PENALTY FOR OPERATING OVERDIMENSION VEHICLES OR COMBINATIONS OF VEHICLES WITHOUT OR IN VIOLATION OF A PERMIT, to the Permanent Subcommittee on Highways.

H.B. 734, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COLLEGIATE INSIGNIA REGISTRATION PLATES, to the Permanent Subcommittee on Highways.

H.B. 1064, A BILL TO BE ENTITLED AN ACT TO AMEND THE AXLE REQUIREMENTS FOR MOTOR HOMES AND CERTAIN TRUCKS, to the Permanent Subcommittee on Highways.

H.B. 1098, A BILL TO BE ENTITLED AN ACT TO CREATE A NORTH CAROLINA TOLL ROADS AUTHORITY TO ADMINISTER TOLL ROADS ON HIGHWAYS RECOMMENDED BY THE DEPARTMENT OF TRANSPORTATION, to the Permanent Subcommittee on Highways.

H.B. 376, A BILL TO BE ENTITLED AN ACT REGARDING MOTOR VEHICLE INSPECTION REQUIREMENTS AND INSPECTION FEES, to the Permanent Subcommittee on Public Transportation.

H.B. 402, A BILL TO BE ENTITLED AN ACT TO PERMIT THE DIVISION OF MOTOR VEHICLES TO CORRECT ITS RECORDS USING FORWARDING ADDRESSES FURNISHED BY THE POSTAL SERVICE, to the Permanent Subcommittee on Public Transportation.

H.B. 1008, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE ENTIRE LENGTH OF INTERSTATE 40 AS A SCENIC HIGHWAY AND MEMORIAL HIGHWAY, AND TO REGULATE OUTDOOR ADVERTISING ALONG THAT HIGHWAY, to the Permanent Subcommittee on Public Transportation.

H.B. 1054, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTIES IN WHICH THERE ARE HIGHWAY TRUST FUND PROJECTS TO DIVERT SOME OF THE FUNDS FOR PUBLIC TRANSPORTATION SERVICES, to the Permanent Subcommittee on Public Transportation.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Barnhill for the Permanent Subcommittee on Health and Mental Health of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 372, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW RELATING TO THERAPEUTIC LEAVE FOR MEDICAL ASSISTANCE PATIENTS, with a favorable report.

H.B. 373, A BILL TO BE ENTITLED AN ACT TO INCLUDE QUALIFIED DISABLED WORKING INDIVIDUALS IN MEDICARE AS REQUIRED BY FEDERAL LAW, with a favorable report.

H.B. 532, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE SERVICES TO ESTABLISH SECURITY REQUIREMENTS FOR CONTROLLED SUBSTANCES, with a favorable report.

SUBCOMMITTEE REFERRALS

Representative Barnes, Chairman for the Standing Committee on Education, refers:

H.R. 1059, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, to the Permanent Subcommittee on University Education and Affairs.

H.B. 993, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE MEMBERSHIP OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, to the Permanent Subcommittee on University Education and Affairs.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Kennedy for the Committee on Judiciary I:

H.B. 349, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEPARATE OFFENSE PUNISHABLE BY A MANDATORY MINIMUM TEN YEARS IMPRISONMENT WITHOUT PAROLE, GOOD TIME, OR GAIN TIME FOR POSSESSION OF A CONCEALED WEAPON OR USE OF A DEADLY WEAPON DURING THE COMMISSION OF A FELONY DRUG OFFENSE, with a favorable report.

On motion of Representative Kennedy, the bill is re-referred to the Committee on Appropriations.

H.B. 463, A BILL TO BE ENTITLED AN ACT TO ADD ADDITIONAL ANABOLIC STEROIDS TO THE LIST OF CONTROLLED SUBSTANCES AND TO MAKE OTHER CHANGES TO CONFORM STATE LAW WITH THE FEDERAL LAW REGARDING THE CONTROL OF ANABOLIC STEROIDS, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H.B. 926, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PROMOTER AND TICKET SALES AGENT MAY AGREE TO CHARGE A REASONABLE SERVICE FEE THAT EXCEEDS THREE DOLLARS, with a favorable report.

On motion of Representative Kennedy, the bill is re-referred to the Committee on Finance.

H.B. 928, A BILL TO BE ENTITLED AN ACT TO ELIMINATE BOND IN ACTIONS WHERE THE STATE OR A COUNTY IS THE PLAINTIFF, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Jeralds:

H.B. 1152, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE FAYETTEVILLE BUSINESS AND PROFESSIONAL LEAGUE, is referred to the Committee on Appropriations.

By Representatives N. J. Crawford, Beard, Bowman, Foster, Gist, Gray, Holmes, and Lutz:

H.B. 1153, A BILL TO BE ENTITLED AN ACT TO CREATE A STUDY COMMISSION ON COMPUTER SERVICES, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Luebke, Barnhill, Beall, Colton, N. J. Crawford, Diamont, Gottovi, Green, Hightower, Holt, Judy Hunt, Nesbitt, Ramsey, Stamey, Stewart, Wilmoth, and Withrow:

H.B. 1154, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE MOTOR VEHICLES HIGHWAY USE TAX AND TO CREDIT THE RESULTING REVENUE INCREASE TO THE GENERAL FUND, is referred to the Committee on Finance.

By Representatives Hurley, Brawley, Dickson, Gardner, Isenhower, Ligon, Warner, and Withrow:

H.B. 1155, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXCISE TAX ON CIGARETTES FROM TWO CENTS PER PACK TO SEVEN CENTS PER PACK, is referred to the Committee on Finance.

By Representatives Ethridge, Smith, and Stamey:

H.B. 1156, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE ASSISTANCE TO REGIONAL HISTORIC ATTRACTIONS, is referred to the Committee on Appropriations.

By Representative Hardaway:

H.J.R. 1157, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY AND DEVELOP A STATE-MANDATED COMPREHENSIVE PLANNING PROGRAM, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Justus, Hege, Ligon, and Morgan:

H.B. 1158, A BILL TO BE ENTITLED AN ACT TO RENAME THE HIGHWAY TRUST FUND AS "THE HIGHWAY FUND #2", TO BORROW SUFFICIENT FUNDS FROM THE HIGHWAY FUND #2 TO BALANCE THE GENERAL FUND, AND TO BOTH ARRANGE FOR REPAYMENT TO THE HIGHWAY FUND #2 AND TO FREEZE GENERAL FUND EXPENDITURES.

Representative McLaughlin moves that the rules be suspended and the bill be placed on the Calendar for immediate consideration.

Representative Justus moves, seconded by Representative Hege, that the motion to suspend the rules to place the bill on the Calendar for immediate consideration do lie upon the table.

Representative Justus withdraws his motion to table his motion by Representative McLaughlin to suspend the rules.

The question before the House is the motion to suspend the rules to place the bill on the Calendar for immediate consideration. This motion fails by electronic vote (19-83).

The Speaker refers the bill to the Committee on Finance.

By Representatives Bowie, Barbee, Bowman, Gottovi, Grady, and Jeffus:

H.B. 1159, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONTINUE THE PILOT PROGRAM AT SUMMIT HOUSE, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 267, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "BUSINESS OPPORTUNITY", is returned for concurrence in two Senate amendments and placed on the Calendar for May 6.

S.B. 363, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE INSPECTION AUTHORITY OF MARINE FISHERIES INSPECTION, is read the first time and referred to the Committee on Agriculture.

S.B. 380, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW RELATING TO CHILD SUPPORT PAYORS' NOTICE AND RESPONSIBILITIES, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 398**, A BILL TO BE ENTITLED AN ACT TO AMEND THE BUSINESS CORPORATION ACT AND MAKE A CONFORMING AMENDMENT TO G.S. 47-18.1 AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND TO AMEND G.S. 55-7-28, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 412**, A BILL TO BE ENTITLED AN ACT TO AMEND CERTIFICATION REQUIREMENTS FOR WATER TREATMENT FACILITY OPERATORS, is read the first time and referred to the Committee on Finance.

Committee Substitute for **S.B. 422**, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE LAWS CONCERNING THE SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION, is read the first time and referred to the Committee on Judiciary III.

S.B. 723, A BILL TO BE ENTITLED AN ACT TO ESTABLISH SAFEGUARDS FOR CONTROLLED SUBSTANCE EXAMINATIONS, is read the first time and referred to the Committee on Judiciary I.

S.B. 763, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DISTRICT ATTORNEY MAY TAKE A VOLUNTARY DISMISSAL IN A DEFERRED PROSECUTION, is read the first time and referred to the Committee on Judiciary III.

CALENDAR

Action is taken on the following:

S.B. 457, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE ALL OF THE SCHOOL ADMINISTRATIVE UNITS IN GUILFORD COUNTY OR TO PROVIDE FOR THE TWO CITY SCHOOL ADMINISTRATIVE UNITS IN THE COUNTY TO HAVE BOUNDARIES COTERMINOUS WITH THE CITIES, SUBJECT TO A REFERENDUM.

Representative Decker moves that the bill be withdrawn from today's Calendar and re-referred to the Committee on Finance.

On motion of Representative Gist, seconded by Representative Wick-er, the motion is tabled.

Representative Decker moves that the bill be withdrawn from today's Calendar and placed on the Calendar for May 10. This motion fails.

Representative Gist calls the previous question on the passage of the bill.

Representative Decker moves that the call for the previous question be postponed indefinitely. This motion fails.

The call for the previous question is sustained.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amend-ment.

Those voting in the affirmative are: Representatives Albertson, Anderson, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Buchanan, Chapin, Church, Colton, J. W. Crawford, Cunningham, DeVane, Dial, Diamont, Dickson, Easterling, Fitch, Flaherty, Foster, Fussell, Gist, Gray, Green, Hackney, Hardaway, Hensley, Hightower, Holt, Jack Hunt, Judy Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Lilley, Lineberry, Luebke, Lutz, McAllister, McLaughlin, Mavretic, Mercer, Michaux, Morgan, Nesbitt, Nye, Oldham, Payne, Ramsey, Redwine, Robinson, Rogers, Smith, Stamey, Thompson, Wainwright, Wicker, Wilmoth, Withrow, and Woodard - 72.

Voting in the negative: Representatives Balmer, Barbee, Brown, Brubaker, Creech, Culp, Decker, Dockham, Esposito, Gardner, Grady, Hege, Holmes, Howard, Huffman, Justus, Kimsey, Lewis, Ligon, Loflin, Pope, Privette, Rhyne, Russell, Tallent, Wilson, and Wood - 27.

Excused absences: Representatives Abernethy, Brawley, N. J. Crawford, Dawkins, Ethridge, Fletcher, Gamble, Gottovi, Greenwood, Grimmer, Hasty, Sam Hunt, Kerr, Rhodes, and Stewart - 15.

H.B. 591, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ROCKINGHAM COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its third reading, by the fol-lowing vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beard, Bowen, Bowie, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Fitch, Flaherty, Foster, Gardner, Grady, Gray, Green, Hackney, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt,

Judy Hunt, H. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, Mavretic, Mercer, Michaux, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Smith, Tallent, Thompson, Wainwright, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 91.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Abernethy, Brawley, N. J. Crawford, Dawkins, Ethridge, Fletcher, Gamble, Gottovi, Greenwood, Grimmer, Hasty, Sam Hunt, Kerr, Rhodes, and Stewart - 15.

H.B. 573, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE ALL OF THE SCHOOL ADMINISTRATIVE UNITS IN GUILFORD COUNTY OR TO PROVIDE FOR THE TWO CITY SCHOOL ADMINISTRATIVE UNITS IN THAT COUNTY TO HAVE BOUNDARIES COTERMINOUS WITH THE CITIES, SUBJECT TO A REFERENDUM.

On motion of Representative Lineberry, consideration of the bill is postponed until May 8.

Committee Substitute for **H.B. 340, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CURRITUCK COUNTY TO LEVY AN ADDITIONAL ONE PERCENT OCCUPANCY TAX AND TO USE THE PROCEEDS OF THE ADDITIONAL TAX FOR THE CURRITUCK WILDLIFE MUSEUM**, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Fitch, Flaherty, Foster, Gardner, Grady, Gray, Green, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Hurley, Isenhower, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Lilley, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Rhyne, Robinson, Rogers, Russell, Smith, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 89.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Abernethy, Brawley, N. J. Crawford, Dawkins, Ethridge, Fletcher, Gamble, Gottovi, Greenwood, Grimmer, Hasty, Sam Hunt, Kerr, Luebke, Rhodes, and Stewart - 16.

H.B. 784, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HYDE COUNTY TO LEVY A ROOM OCCUPANCY TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Fitch, Flaherty, Foster, Gardner, Grady, Gray, Green, Hardaway, Hege, Hensley, Hightower, Holmes, Howard, Huffman, Jack Hunt, Judy Hunt, R. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Robinson, Rogers, Russell, Smith, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 88.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Abernethy, Brawley, N. J. Crawford, Dawkins, Ethridge, Fletcher, Gamble, Gottovi, Greenwood, Grimmer, Hasty, Sam Hunt, Kerr, Luebke, Rhodes, and Stewart - 16.

H.B. 637, A BILL TO BE ENTITLED AN ACT TO EXPAND AND REDISTRICT THE GUILFORD COUNTY BOARD OF COMMISSIONERS.

Representative Decker moves that the bill be withdrawn from today's Calendar and placed on the Calendar for May 7. A division having been called, the motion fails by electronic vote (43-45).

The bill passes its third reading, by electronic vote (59-34), and is ordered sent to the Senate.

Committee Substitute for **H.B. 774, A BILL TO BE ENTITLED AN ACT TO ALLOW THE BOARD OF TRUSTEES OF WATAUGA HOSPITAL, INC., TO ENTER INTO SINGLE PRIME CONTRACTOR PUBLIC CONTRACTS**, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 1121, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF LABOR TO ASSESS ADDITIONAL FEES AGAINST AMUSEMENT DEVICE OWNERS UNDER CERTAIN CIRCUMSTANCES**, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Anderson, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowman, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Fitch, Foster, Gardner, Grady, Green, Hackney, Hege, Hensley, Hightower, Holmes, Holt, Howard, Jack Hunt, Judy Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Robinson, Rogers, Russell, Smith, Stamey, Tallent,

Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 86.

Voting in the negative: Representative Balmer.

Excused absences: Representatives Abernethy, Brawley, N. J. Crawford, Dawkins, Ethridge, Fletcher, Gamble, Gottovi, Greenwood, Grimmer, Hasty, Sam Hunt, Kerr, Luebke, Rhodes, and Stewart - 16.

House Committee Substitute for S.B. 149, A BILL TO BE ENTITLED AN ACT TO INCLUDE HORTICULTURE, TREES AND TIMBER, THE RAISING OF LIVESTOCK AND POULTRY, AND AQUACULTURE IN THE DEFINITION OF THE TERMS "AGRICULTURE" AND "AGRICULTURAL" AS THEY ARE USED IN THE AGRICULTURAL DEVELOPMENT ACT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnhill, Beall, Bowen, Bowman, Brown, Buchanan, Chapin, Colton, J. W. Crawford, Creech, Culp, Cunningham, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Fitch, Flaherty, Foster, Gardner, Gist, Grady, Gray, Green, Hackney, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Lutz, McGee, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Robinson, Rogers, Russell, Smith, Stamey, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 88.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Brawley, N. J. Crawford, Dawkins, Ethridge, Fletcher, Gamble, Gottovi, Greenwood, Grimmer, Hasty, Sam Hunt, Kerr, Luebke, Rhodes, and Stewart - 16.

H.B. 445, A BILL TO BE ENTITLED AN ACT TO ALLOW DEPARTMENT OF REVENUE EMPLOYEES TO LEVY ON TAXPAYERS' PERSONAL PROPERTY TO COLLECT TAXES TO THE SAME EXTENT AS A LOCAL TAX COLLECTOR.

On motion of Representative Isenhower, consideration of the bill is postponed until May 7.

Committee Substitute for H.B. 980, A BILL TO BE ENTITLED AN ACT TO RENAME THE DIVISION OF CRIMINAL STATISTICS AND TO AUTHORIZE IT TO PROVIDE CRIMINAL RECORD CHECKS TO EMPLOYEES WHO PROVIDE DIRECT CAREGIVING SERVICES TO THE PUBLIC.

On motion of Representative R. Hunter, the bill is withdrawn from the Calendar and re-referred to the Committee on Finance.

Committee Substitute for **H.B. 442**, A BILL TO BE ENTITLED AN ACT TO REQUIRE NOTIFICATION TO THE DISTRICT ATTORNEY, THE VICTIM, THE VICTIM'S FAMILY, AND THE ARRESTING LAW ENFORCEMENT AGENCY WHENEVER A PRISONER IS BEING CONSIDERED FOR PAROLE, passes its third reading, by electronic vote (88-1), and is ordered sent to the Senate.

Committee Substitute for **H.B. 520**, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LIABILITY OF PERSONS RESPONDING TO OIL SPILLS.

The bill, as amended, passes its third reading, by electronic vote (89-0), and is ordered engrossed and sent to the Senate.

H.B. 1003, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DEFENDANT, AFTER A FINDING OF PROBABLE CAUSE OR INDICTMENT FOR COMMITTING A NONCONSENSUAL SEX OFFENSE, SHALL BE TESTED FOR AIDS UPON THE REQUEST OF THE VICTIM.

Representative Michaux offers Amendment No. 1.

The Speaker rules Amendment No. 1 is out of order.

Representative Michaux moves that the rules be suspended in order to consider the amendment, which changes the title. This motion fails by electronic vote (26-63).

The bill passes its third reading, by electronic vote (80-9), and is ordered sent to the Senate.

H.B. 279, A BILL TO BE ENTITLED AN ACT TO PROVIDE HEALTH BENEFITS FOR HANDICAPPED DEPENDENTS OF TEACHERS AND STATE EMPLOYEES PREVIOUSLY EXCLUDED FROM COVERAGE BY THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN.

On motion of Representative Nesbitt, the bill is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

H.B. 315, A BILL TO BE ENTITLED AN ACT TO ASSIST STATE AGENCIES IN FILLING VACANCIES WITHIN SHORT-AGE OCCUPATIONS, INCLUDING NURSING, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1013, A BILL TO BE ENTITLED AN ACT TO DEFINE THE LIMITS OF LOCAL GOVERNMENT EMPLOYEES' POLITICAL ACTIVITIES WHILE ON DUTY, passes its second reading by electronic vote (86-1).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

Representative Hackney withdraws his objection to the third reading.

Representative Fitch offers Amendment No. 1 which is adopted by electronic vote (78-0).

The bill, as amended, passes its third reading, by electronic vote (77-0), and is ordered engrossed and sent to the Senate.

H.B. 1053, A BILL TO BE ENTITLED AN ACT TO PERMIT PUBLIC SCHOOL EMPLOYEES TO AUTHORIZE THE PERIODIC DEDUCTION FROM THEIR SALARIES OF PAYMENTS TO THE EMPLOYEES' ASSOCIATIONS.

On motion of Representative Nesbitt, Committee Amendment No. 1 is adopted.

Representative Mavretic offers Amendment No. 2.

Representative Mavretic calls the previous question on the amendment and the call is sustained.

A division having been called, the amendment fails by electronic vote (41-52).

Representative Ramsey calls the previous question on the passage of the bill and moves that the call for the previous question be postponed indefinitely and further moves, seconded by Representative Jack Hunt, that the motion to postpone indefinitely the call for the previous question, do lie upon the table.

The motion to table the motion to postpone indefinitely the call for the previous question carries by electronic vote (53-39).

The bill, as amended, passes its second reading by electronic vote (55-38).

Representative Pope objects to the third reading. The bill remains on the Calendar.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Mavretic for the Committee on State Government:

H.B. 400, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE BOARD OF MORTUARY SCIENCE PROCEDURES, with a favorable report, as amended.

H.B. 332, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW REGARDING THE GOVERNOR'S APPOINTMENTS TO THE GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES TO FEDERAL LAW, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 7. the original bill is placed on the Unfavorable Calendar.

H.B. 357, A BILL TO BE ENTITLED AN ACT TO SPECIFY THE POWERS OF THE BOARD OF MEDICAL EXAMINERS

REGARDING REAL PROPERTY, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Mavretic, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Finance.

H.B. 385, A BILL TO BE ENTITLED AN ACT TO AMEND THE MAKEUP OF THE YOUTH ADVISORY COUNCIL, with a favorable report.

H.B. 409, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES OR HIS DESIGNEE SHALL BE AN EX OFFICIO MEMBER OF THE NORTH CAROLINA FARMWORKER COUNCIL, with a favorable report.

H.B. 411, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE GOVERNOR'S COUNCIL ON PHYSICAL FITNESS AND HEALTH TO SANCTION THE STATE GAMES AND OTHER COMPETITIVE ATHLETIC EVENTS FOR WHICH SANCTIONING BY THE STATE IS REQUIRED, with a favorable report.

H.B. 552, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SUSPENSION OR REVOCATION OF PROFESSIONAL AND OCCUPATIONAL LICENSES OR CERTIFICATIONS OF A DEFENDANT CONVICTED OF A STATE OR FEDERAL DRUG OFFENSE, with a favorable report.

H.B. 714, A BILL TO BE ENTITLED AN ACT TO PERMIT VOLUNTEER FIRE DEPARTMENTS AND RESCUE SQUADS TO PURCHASE MATERIALS AND SUPPLIES UNDER STATE CONTRACT, with a favorable report, as amended.

H.B. 932, A BILL TO BE ENTITLED AN ACT TO ADOPT THE CAROLINA TARTAN AS THE OFFICIAL SCOTTISH TARTAN OF THE STATE OF NORTH CAROLINA, with a favorable report.

H.B. 1060, A BILL TO BE ENTITLED AN ACT TO INCREASE THE LENGTH OF TIME FOR WHICH THE EFFECTIVE DATE OF A CERTIFICATE OF APPROPRIATENESS MAY BE DELAYED, with a favorable report.

H.B. 1091, A BILL TO BE ENTITLED AN ACT TO SPECIFY THAT ALL OCCUPATIONAL LICENSING BOARDS ARE SUBJECT TO THE EXECUTIVE BUDGET ACT, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representative Hardaway for the Committee on Commerce:

H.B. 460, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE STATUTES GOVERNING HEALTH

MAINTENANCE ORGANIZATIONS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

On motion of Representative Hardaway, the rules are suspended and the bill is placed on the Calendar for May 9. The original bill is placed on the unfavorable Calendar.

CALENDAR (continued)

H.B. 870, A BILL TO BE ENTITLED AN ACT TO REQUIRE IDENTIFICATION OF VOTERS, passes its second reading, by electronic vote (77-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 719, A BILL TO BE ENTITLED AN ACT TO GRANT TO MUNICIPALITIES CERTAIN POWERS AUTHORIZED BY SECTION 13 OF ARTICLE V OF THE CONSTITUTION OF NORTH CAROLINA, passes its second reading, by electronic vote (83-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 422, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF THE TERM "OTHER WASTE" AS USED IN THE WATER AND AIR POLLUTION STATUTES.

Representative Hackney offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (78-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

SUSPENSION OF RULES TO PLACE ON CALENDAR

On motion of Representative Holt, the rules are suspended and **H.B. 926, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PROMOTER AND TICKET SALES AGENT MAY AGREE TO CHARGE A REASONABLE SERVICE FEE THAT EXCEEDS THREE DOLLARS**, is withdrawn from the Committee on Finance and placed on the Calendar for May 6.

CALENDAR (continued)

Committee Substitute for **H.B. 5, A BILL TO BE ENTITLED AN ACT TO RAISE THE MINIMUM WAGE AND TO AUTHORIZE A TRAINING WAGE**.

On motion of Representative Beall, consideration of the bill is postponed until May 6.

Committee Substitute for **H.B. 33, A BILL TO BE ENTITLED AN ACT TO REGULATE THE BUSINESS OF PROVIDING CREDIT REPAIR SERVICES**.

Representative Howard offers Amendment No. 1 which is adopted.

Representative Lineberry offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (82-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 1002**, A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PROVISIONS CONTAINED IN THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW.

On motion of Representative Isenhower, consideration of the bill is postponed until May 7.

Committee Substitute for **H.B. 1027**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PAYMENT OF A CONTRACTOR OR SUBCONTRACTOR IS NOT A CONDITION PRECEDENT FOR PAYMENT TO ANY SUBCONTRACTOR.

On motion of Representative Payne, consideration of the bill is postponed until May 7.

H.B. 771, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "INJURY" FOR PURPOSES OF THE WORKERS' COMPENSATION ACT.

On motion of Representative Payne, consideration of the bill is postponed until May 7.

H.B. 717, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPECIFIC LICENSING OF RENTAL CAR COMPANY PERSONNEL WHO ACT AS AGENTS FOR INSURERS IN THE SALE OF INSURANCE COVERAGE RELATED TO THE SHORT-TERM RENTAL OF MOTOR VEHICLES.

On motion of Representative Hasty, consideration of the bill is postponed until May 6.

H.B. 725, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELIGIBILITY FOR GRANTS UNDER THE VOLUNTEER RESCUE/EMS FUND.

On motion of Representative Russell, the bill is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

S.B. 347, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COUNTY TAX ASSESSOR SHALL MAKE CERTAIN TAXPAYER BUSINESS RECORDS AVAILABLE TO THE EMPLOYMENT SECURITY COMMISSION ON REQUEST.

On motion of Representative Robinson, consideration of the bill is postponed until May 7.

On motion of Representative Jack Hunt, seconded by Representative James, the House adjourns at 2:30 p.m. to reconvene Monday, May 6, 1991 at 7:00 p.m.

FIFTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES

Monday, May 6, 1991

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of May 3 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Abernethy, Beard, Gamble, Kerr, Luebke, and Wicker for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Michaux for the Committee on Courts, Justice, Constitutional Amendments and Referenda:

H.B. 671, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT VOTER LISTS MAY BE PROVIDED BY COUNTY BOARDS OF ELECTIONS ONLY FOR POLITICAL ENTITIES AND FOR JURY SELECTION PURPOSES, with a favorable report.

H.B. 896, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES IN BALLOT INSTRUCTIONS AND BALLOT FORMAT, with an unfavorable report.

H.B. 934, A BILL TO BE ENTITLED AN ACT TO OPEN BALLOT ACCESS FOR CANDIDATES OF NEW POLITICAL PARTIES AND INDEPENDENTS, with an unfavorable report.

H.B. 964, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT, WHEN MUNICIPALITIES USE THE NONPARTISAN-PRIMARY-AND-ELECTION METHOD, NO VOTER MAY CAST MORE VOTES THAN THERE ARE POSITIONS TO BE FILLED, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 8. The original bill is placed on the Unfavorable Calendar.

H.B. 1073, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE INSTRUCTIONS FOR SPLITTING TICKETS IN MULTISEAT RACES, TO MAKE IT CLEAR THAT IF THE VOTER MARKS A STRAIGHT TICKET AND THEN MARKS CANDIDATES OF THE OTHER PARTY, THE BALLOT WILL NOT BE COUNTED FOR ANY CANDIDATES FOR THAT OFFICE OF THE PARTY WHOSE CIRCLE WAS MARKED UNLESS THOSE CANDIDATES ARE VOTED FOR INDIVIDUALLY AS WELL, with a favorable report as

to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 8. The original bill is placed on the Unfavorable Calendar.

By Representative R. Hunter for the Committee on Judiciary III:

H.B. 132, A BILL TO BE ENTITLED AN ACT TO REQUIRE NOTICE BY CERTIFIED LETTER OF MEETING AT WHICH DRAINAGE ASSESSMENTS ARE DETERMINED, with a favorable report, as amended.

H.B. 1116, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE LENGTH OF PROTECTIVE SUPERVISION OR PROBATION OF A JUVENILE ADJUDICATED DELINQUENT OR UNDISCIPLINED, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H.B. 1118, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING THE PRETRIAL RELEASE OF JUVENILES, with a favorable report.

H.B. 1119, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW RELATING TO THE INTERMITTENT COMMITMENT OF DELINQUENT JUVENILES, with a favorable report.

By Representative Jeralds for the Committee on Human Resources:

H.B. 18, A BILL TO BE ENTITLED AN ACT TO CLARIFY LANGUAGE TO AUTHORIZE LOCAL BOARDS OF HEALTH TO ADOPT RULES MORE STRINGENT THAN THE COMMISSION FOR HEALTH SERVICES OR THE ENVIRONMENTAL MANAGEMENT COMMISSION WHEN DEEMED NECESSARY TO PROTECT THE PUBLIC HEALTH, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 8. The original bill is placed on the Unfavorable Calendar.

H.B. 347, A BILL TO BE ENTITLED AN ACT TO REQUIRE MAMMOGRAM AND PAP SMEAR COVERAGE IN HEALTH AND ACCIDENT INSURANCE POLICIES, IN HOSPITAL OR MEDICAL SERVICES PLANS, IN HMO PLANS, AND IN THE STATE EMPLOYEES COMPREHENSIVE MAJOR MEDICAL PLAN, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations.

The original bill is placed on the Unfavorable Calendar.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Thompson for the Permanent Subcommittee on Solid Waste:

H.B. 960, A BILL TO BE ENTITLED AN ACT TO PHASE IN THE USE OF REUSABLE HAND TOWELS IN STATE OFFICES THROUGHOUT THE STATE BY JANUARY 1, 1994, reported to the Standing Committee on Environment, without prejudice.

By Representative Fletcher for the Permanent Subcommittee on Financial Institutions:

H.B. 22, A BILL TO BE ENTITLED AN ACT TO REGULATE REVERSE MORTGAGES, reported to the Standing Committee on Commerce, with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

By Representative Fletcher for the Permanent Subcommittee on Financial Institutions of the Standing Committee on Commerce, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 865, A BILL TO BE ENTITLED AN ACT TO ALLOW A LIMITED REPRESENTATIVE TO RECEIVE A LICENSE TO SELL CREDIT PROPERTY INSURANCE AND AUTOMOBILE PHYSICAL DAMAGE INSURANCE ISSUED IN CONNECTION WITH A LOAN, with a favorable report, as amended.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Kennedy for the Committee on Judiciary I:

H.B. 418, A BILL TO BE ENTITLED AN ACT TO CODIFY THE COMMON LAW IN RESOLVING INCONSISTENCIES BETWEEN G.S. 8-83 AND G.S. 1A-1, RULE 32 REGARDING THE ADMISSION OF DEPOSITIONS AT TRIAL AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

H.B. 728, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A COLLECTIBLE LIEN FOR SERVICES RENDERED BY PRIVATE RESCUE SQUADS THAT ARE SUBSTANTIALLY SUPPORTED BY MUNICIPALITIES, with a favorable report.

H.B. 787, A BILL TO BE ENTITLED AN ACT TO ALLOW AN ADDITIONAL FOUR YEARS FOR THE ACCUMULATION OF MONEY IN THE NORTH CAROLINA CANDIDATES FINANCING FUND AND TO LIMIT THE APPLICATION OF THAT FUND TO THE RACE FOR GOVERNOR, BEGINNING IN 1996, with a favorable report.

H.B. 843, A BILL TO BE ENTITLED AN ACT TO AMEND THE SAFE ROADS ACT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 8. The original bill is placed on the Unfavorable Calendar.

By Representative Judy Hunt for the Committee on Public Utilities:

H.B. 1018, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE JOINT MUNICIPAL POWER AGENCIES TO ENCUMBER PROPERTY FOR FINANCING PROJECTS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 1046, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE UTILITIES COMMISSION TO OVERSEE A TWO-YEAR STUDY OF THE FEASIBILITY OF LIMITING DURATION OF COIN-OPERATED TELEPHONE CALLS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 8. The original bill is placed on the Unfavorable Calendar.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Hightower for the Permanent Subcommittee on Hazardous Waste of the Standing Committee on Environment, with approval of the standing committee chairman for report to be made directly to the floor of the House:

H.B. 541, A BILL TO BE ENTITLED AN ACT TO REQUIRE DISCLOSURE AND RECORDATION OF ENVIRONMENTAL LIMITATIONS AND LIABILITIES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 8. The original bill is placed on the Unfavorable Calendar.

H.B. 645, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ONE OF THE MEMBERS OF THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMMISSION FROM NORTH CAROLINA RESIDE IN A COUNTY IN WHICH THE REGIONAL DISPOSAL FACILITY IS SITED, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 8. The original bill is placed on the Unfavorable Calendar.

H.B. 644, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMMISSION TO DESIGNATE A STATE TO HOST THE THIRD REGIONAL DISPOSAL FACILITY AS A CONDITION TO THE DESIGNATION OF A PREFERRED SITE FOR A LOW-LEVEL RADIOACTIVE WASTE DISPOSAL FACILITY IN THIS STATE, with a favorable report.

SUBCOMMITTEE REFERRALS

Representative Jeralds, Chairman for the Standing Committee on Human Resources, refers:

H.B. 1108, A BILL TO BE ENTITLED AN ACT TO ENACT THE PUBLIC BATHROOM EQUITY ACT, to the Permanent Subcommittee on Aging.

H.B. 1127, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE IDENTIFICATION OF THE FATHER OF ANY CHILD ELIGIBLE FOR PUBLIC ASSISTANCE, to the Permanent Subcommittee on Children, Youth and Families.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Buchanan:

H.B. 1160, A BILL TO BE ENTITLED AN ACT TO REPEAL THE NONRESIDENT BEAR HUNTING LICENSE REQUIREMENT IN ORDER TO PROMOTE RECIPROCITY WITH THE STATE OF TENNESSEE, is referred to the Committee on Agriculture.

By Representatives McLaughlin, Barnes, Barnhill, Easterling, Foster, and Gottovi:

H.B. 1161, A BILL TO BE ENTITLED AN ACT TO ADD AN ADDITIONAL BRACKET TO THE INDIVIDUAL INCOME TAX SO THAT HIGHER-INCOME TAXPAYERS PAY TAX AT A HIGHER MARGINAL RATE, is referred to the Committee on Finance.

By Representatives McLaughlin, Barnes, Easterling, Foster, and Lineberry:

H.B. 1162, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXCISE TAX ON CIGARETTES FROM TWO CENTS PER PACK TO TWELVE CENTS PER PACK is referred to the Committee on Finance.

By Representatives Diamont, Judy Hunt, and Wilmoth:

H.B. 1163, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING OF A CERTAIN CAPITAL IMPROVEMENT PROJECT BY APPALACHIAN STATE, is referred to the Committee on Appropriations.

By Representative Gamble:

H.J.R. 1164, A JOINT RESOLUTION URGING THAT A TOLL-FREE STATE NUMBER BE ESTABLISHED TO PROVIDE FINANCIAL AID INFORMATION FOR PROSPECTIVE POSTSECONDARY EDUCATION STUDENTS, THAT A SINGLE APPLICATION BE DEVELOPED FOR ALL STATE-ADMINISTERED OR FINANCED STUDENT FINANCIAL AID, AND THAT THE STATE

EDUCATION ASSISTANCE AUTHORITY TAKE THE LEAD IN ACHIEVING THESE OBJECTIVES, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Privette, Barbee, Loflin, and Tallent:

H.J.R. 1165, A JOINT RESOLUTION HONORING THE COUNTY OF CABARRUS AS IT PREPARES FOR ITS BICENTENNIAL OBSERVANCE, is referred to the Committee on Rules, Appointments and Calendar.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 148, AN ACT TO CLARIFY THAT THE PRODUCTION OF CROPS, FRUITS, VEGETABLES, ORNAMENTAL AND FLOWERING PLANTS, ETC., IS A BONA FIDE FARM PURPOSE IN THE ZONING STATUTES. (CHAPTER 69)

H.B. 374, AN ACT TO PROVIDE FOR A PERSON HUNTING OR APPLYING FOR A HUNTING LICENSE TO SIGN A STATEMENT ON A FORM PROVIDED BY THE WILDLIFE RESOURCES COMMISSION CONFIRMING THAT HE HAD A HUNTING LICENSE PRIOR TO THE REQUIREMENT OF A HUNTER SAFETY COURSE. (CHAPTER 70)

H.B. 392, AN ACT TO EXTEND THE REQUIREMENT THAT HUNTERS WEAR BLAZE ORANGE TO ENCOMPASS THE HUNTING OF OTHER TYPES OF GAME. (CHAPTER 71)

H.J.R. 695, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS OF THOMAS W. D'ALONZO AND KENNETH R. HARRIS TO MEMBERSHIP ON THE STATE BOARD OF EDUCATION. (RESOLUTION 11)

SUBCOMMITTEE REFERRALS

Representative Hardaway, Chairman for the Standing Committee on Commerce, refers:

H.B. 1022, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA COMMUNITY REINVESTMENT ACT, to the Permanent Subcommittee on Financial Institutions.

H.B. 1084, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA LINKED DEPOSIT ACT, to the Permanent Subcommittee on Financial Institutions.

CALENDAR

Action is taken on the following:

H.B. 267, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "BUSINESS OPPORTUNITY".

On motion of Representative Brubaker, the House concurs in Senate Amendment No. 1, which changes the title, by electronic vote (91-0).

On motion of Representative Brubaker, the House concurs in Senate Amendment No. 2, by electronic vote (91-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 340**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CURRITUCK COUNTY TO LEVY AN ADDITIONAL ONE PERCENT OCCUPANCY TAX AND TO USE THE PROCEEDS OF THE ADDITIONAL TAX FOR THE CURRITUCK WILDLIFE MUSEUM, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnhill, Beall, Bowen, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Lilley, Loflin, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Redwine, Rhodes, Rhynes, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 95.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Abernethy, Beard, Kerr, Luebke, Stamey, and Wicker - 6.

H.B. 784, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HYDE COUNTY TO LEVY A ROOM OCCUPANCY TAX, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnhill, Beall, Bowen, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Lilley, Loflin, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Redwine, Rhodes, Rhynes, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 95.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Abernethy, Beard, Kerr, Luebke, Stamey, and Wicker - 6.

Committee Substitute for H.B. 1121, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF LABOR TO ASSESS ADDITIONAL FEES AGAINST AMUSEMENT DEVICE OWNERS UNDER CERTAIN CIRCUMSTANCES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barnhill, Beall, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Diamont, Dockham, Esposito, Ethridge, Flaherty, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 93.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Beard, Kerr, Luebke, Stamey, and Wicker - 6.

House Committee Substitute for S.B. 149, A BILL TO BE ENTITLED AN ACT TO INCLUDE HORTICULTURE, TREES AND TIMBER, THE RAISING OF LIVESTOCK AND POULTRY, AND AQUACULTURE IN THE DEFINITION OF THE TERMS "AGRICULTURE" AND "AGRICULTURAL" AS THEY ARE USED IN THE AGRICULTURAL DEVELOPMENT ACT, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Rhodes, Rhyne, Robinson, Rogers, Russell, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 100.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Beard, Kerr, Luebke, Stamey, and Wicker - 6.

Committee Substitute for **H.B. 23**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FUEL TAX STATUTES TO ENABLE NORTH CAROLINA TO ENTER THE INTERNATIONAL FUEL TAX AGREEMENT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnhill, Beall, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Ethridge, Fitch, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 101.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Beard, Kerr, Luebke, Stamey, and Wicker - 6.

H.B. 400, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE BOARD OF MORTUARY SCIENCE PROCEDURES.

On motion of Representative Mercer, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnhill, Beall, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 100.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Beard, Kerr, Luebke, Stamey, and Wicker - 6.

Committee Substitute for **H.B. 54**, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE STATUTES RELATING TO CREDIT UNIONS.

On motion of Representative Hackney, the bill is withdrawn from the Calendar and re-referred to the Committee on Finance.

H.B. 1053, A BILL TO BE ENTITLED AN ACT TO PERMIT PUBLIC SCHOOL EMPLOYEES TO AUTHORIZE THE PERIODIC DEDUCTION FROM THEIR SALARIES OF PAYMENTS TO THE EMPLOYEES' ASSOCIATIONS.

Representative Bowman offers Amendment No. 3 which is adopted by electronic vote (99-5).

Representative Nesbitt calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its third reading, by electronic vote (73-30), and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 752**, A BILL TO BE ENTITLED AN ACT CONCERNING COMPENSATION OF MEMBERS AND SUPERVISORS OF COUNTY BOARDS OF ELECTIONS, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 978**, A BILL TO BE ENTITLED AN ACT TO PROTECT AGRICULTURAL OPERATIONS FROM NUISANCE SUITS UNDER CERTAIN CIRCUMSTANCES, passes its second reading, by electronic vote (90-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 319**, A BILL TO BE ENTITLED AN ACT TO CLARIFY RULEMAKING AND ENFORCEMENT AUTHORITY FOR DAY CARE HEALTH ISSUES, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 381, A BILL TO BE ENTITLED AN ACT TO COMPLY WITH CONGRESSIONAL CHANGES IN OSHA.

Representative Anderson offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (89-7), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 425, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE HEALTH CARE PERSONNEL TO PROVIDE VOLUNTEER

MEDICAL SERVICES AT LOCAL HEALTH DEPARTMENTS AND NONPROFIT COMMUNITY HEALTH CENTERS BY PROVIDING FOR LIMITED TORT LIABILITY PROTECTION, passes its second reading by electronic vote (95-1).

Representative Hackney objects to the third reading, The bill remains on the Calendar.

SUBCOMMITTEE REFERRAL

Representative Barnes, Chairman for the Standing Committee on Education, refers:

H.B. 983, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT RULES TO STRENGTHEN THE CONTINUING AND COOPERATIVE RELATIONSHIP BETWEEN SCHOOLS OF EDUCATION AND PUBLIC SCHOOLS, to the Permanent Subcommittee on Preschool, Elementary and Secondary Education.

CALENDAR (continued)

H.B. 788, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR OPTIONS FOR CERTAIN BOND REQUIREMENTS OF VARIOUS LICENSEES OF THE DEPARTMENT OF INSURANCE, passes its second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 846, A BILL TO BE ENTITLED AN ACT TO AMEND INSURANCE LAWS RELATING TO INSURANCE PREMIUM FINANCING.

On motion of Representative Warner, consideration of the bill is postponed until May 7.

H.B. 851, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TO THE EXTENT A COUNTY PROVIDES LIABILITY INSURANCE TO COUNTY OFFICERS OR EMPLOYEES IT SHALL PROVIDE LIABILITY INSURANCE TO THE REGISTER OF DEEDS.

On motion of Representative Redwine, consideration of the bill is postponed until May 8.

H.B. 902, A BILL TO BE ENTITLED AN ACT TO REMOVE FARM COVERAGES FROM THE JURISDICTION OF THE NORTH CAROLINA RATE BUREAU.

On motion of Representative Russell, consideration of the bill is postponed until May 13.

H.B. 282, A BILL TO BE ENTITLED AN ACT TO EXTEND THE EXPIRATION DATE FOR PRIVATE CONTRACT PARTICIPATION BY THE DEPARTMENT OF TRANSPORTATION, passes its second reading by electronic vote (89-1).

On motion of Representative Jack Hunt, further consideration of the bill is postponed until May 7.

H.B. 299, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE DESIGNATION OF TRUCK ROUTES, passes its second reading by electronic vote (87-15).

Representative Jack Hunt objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 25, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ESTABLISH A COMMUNITY SERVICE PROGRAM; AND TO REQUIRE THAT COMMUNITY SERVICE SHALL BE PERFORMED IN EXCHANGE FOR REMITTED FINES**, passes its second reading, by electronic vote (89-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 36, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE GENERAL CONTRACTORS LICENSING BOARD AND THE CODE OFFICIALS QUALIFICATION BOARD TO IMPLEMENT RECOMMENDATIONS OF THE STATE AUDITOR AND TO REPORT IMPLEMENTATION STATUS TO THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS, passes its second reading, by electronic vote (89-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 353, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AMENDMENTS TO THE PHARMACY PRACTICE ACT, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 753, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR BROADER POWERS FOR HOSPITAL, MEDICAL AND DENTAL SERVICE CORPORATIONS TO PROVIDE FOR INDEMNIFICATION OF INSURANCE FOR OFFICERS AND DIRECTORS.

On motion of Representative R. Hunter, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary III.

H.B. 944, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 1-288 REGARDING THE TIME FOR TAKING APPEAL IN FORMA PAUPERIS IN ORDER TO CONFORM THIS STATUTE TO THE RULES OF APPELLATE PROCEDURE.

On motion of Representative Hensley, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (101-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 966, A BILL TO BE ENTITLED AN ACT TO ALLOW DISSOLUTION OF SANITARY DISTRICTS FOR WHICH NO DISTRICT BOARD MEMBERS HAVE BEEN ELECTED FOR EIGHT YEARS.

On motion of Representative Loflin, Committee Amendment No. 1 is adopted.

Representative Loflin offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 5, A BILL TO BE ENTITLED AN ACT TO RAISE THE MINIMUM WAGE AND TO AUTHORIZE A TRAINING WAGE**, passes its second reading, by electronic vote (89-13), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S.B. 189, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE AUTHORITY OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES CONCERNING THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS IS THE SAME, passes its second reading, by electronic vote (68-38), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **H.B. 621, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENTS FOR CONTINUING EDUCATION OF INSURANCE LICENSEES**, passes its second reading, by electronic vote (104-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 717, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPECIFIC LICENSING OF RENTAL CAR COMPANY PERSONNEL WHO ACT AS AGENTS FOR INSURERS IN THE SALE OF INSURANCE COVERAGE RELATED TO THE SHORT-TERM RENTAL OF MOTOR VEHICLES, passes its second reading by electronic vote (95-3).

Representative Cunningham objects to the third reading. The bill remains on the Calendar.

Representative Cunningham withdraws his objection to the third reading.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 324, A BILL TO BE ENTITLED AN ACT TO REQUIRE COUNTY BOARDS OF ELECTIONS TO FILE COPIES OF CERTAIN ELECTION RETURNS WITH THE SECRETARY OF STATE IN A FORMAT PRESCRIBED BY THE SECRETARY OF STATE, SO AS TO ALLOW PUBLICATION OF THE RETURNS IN A TIMELY MANNER AND IN A READILY ACCESSIBLE FORMAT, passes its second reading, by electronic vote (88-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H.B. 554, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONTROL OF AQUATIC WEEDS, passes its second reading, by electronic vote (88-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H.B. 136, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISPOSAL OF CERTAIN CLASSES OF SOLID WASTE IN LANDFILLS OR BY INCINERATION, passes its second reading by electronic vote (81-20).

Representative Hightower objects to the third reading. The bill remains on the Calendar.

Committee Substitute for H.B. 758, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A CITY TO REQUIRE AN OWNER OR A TENANT OF AN INHABITED BUILDING IN THE CITY TO PARTICIPATE IN ANY SOLID WASTE COLLECTION SERVICE PROVIDED BY THE CITY.

On motion of Representative Stewart, consideration of the bill is postponed indefinitely by electronic vote (99-0).

Committee Substitute for H.B. 448, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF STOP-WORK ORDERS FOR VIOLATIONS OF THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973.

Representative Colton calls the previous question on the passage of the bill and the call is sustained.

The bill passes its second reading by electronic vote (82-22).

Representative Grimmer objects to the third reading. The bill remains on the Calendar.

VOTE RECONSIDERED

Representative J. W. Crawford, having voted with the majority, moves that the vote by which **H.B. 25, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ESTABLISH A COMMUNITY SERVICE PROGRAM; AND TO REQUIRE THAT COMMUNITY SERVICE**

SHALL BE PERFORMED IN EXCHANGE FOR REMITTED FINES, passed its third reading and ordered sent to the Senate be reconsidered. This motion carries by electronic vote (91-3).

On motion of Representative J. W. Crawford, the bill is re-referred to the Committee on Environment.

CALENDAR (continued)

Committee Substitute for **H.B. 449**, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE SEDIMENTATION POLLUTION CONTROL ACT.

On motion of Representative Colton, consideration of the bill is postponed until May 7.

Committee Substitute for **H.B. 455**, A BILL TO BE ENTITLED AN ACT TO CONFORM CERTAIN PROVISIONS OF THE WAGE AND HOUR ACT TO FEDERAL LAW, passes its second reading by electronic vote (79-10).

Representative Brawley objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 38**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE COMPOSITION OF THE GENERAL CONTRACTORS LICENSING BOARD, passes its second reading, by electronic vote (85-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 640**, A BILL TO BE ENTITLED AN ACT TO PERMIT ADOPTIVE PARENTS TO PAY MEDICAL EXPENSES OF THE CHILD'S BIOLOGICAL MOTHER, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 829**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A REBUTTABLE PRESUMPTION THAT PROPERTY ACQUIRED DURING MARRIAGE IS MARITAL PROPERTY EXCEPT UNDER CERTAIN CIRCUMSTANCES, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

Representative Hackney offers Amendment No. 1 which is adopted by electronic vote (98-0).

The bill, as amended, passes its third reading, by electronic vote (97-0), and is ordered engrossed and sent to the Senate.

S.B. 362, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TERM OF OFFICE OF THE MEMBERS OF THE U.S.S. NORTH CAROLINA BATTLESHIP COMMISSION, passes its second reading, by electronic vote (100-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H.B. 409, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES OR HIS DESIGNEE SHALL BE AN EX OFFICIO MEMBER OF THE NORTH CAROLINA FARMWORKER COUNCIL, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 372, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW RELATING TO THERAPEUTIC LEAVE FOR MEDICAL ASSISTANCE PATIENTS.

On motion of Representative Russell, consideration of the bill is postponed until May 7.

Representative Jack Hunt moves, seconded by Representative Dial, subject to notices and announcements, that the House do adjourn. This motion carries.

The House adjourns at 10:50 p.m. to reconvene May 7 at 1:30 p.m.

FIFTY-NINTH DAY

HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of May 6 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (78-0).

A leave of absence is granted Representative Kerr for today.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Lineberry for the Permanent Subcommittee on Small Business of the Standing Committee on Economic Expansion, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 925, A BILL TO BE ENTITLED AN ACT TO PROVIDE A GRACE PERIOD FOR PLUMBING AND HEATING CONTRACTORS ELIGIBLE TO OBTAIN A LICENSE WITHOUT EXAMINATION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 9. The original bill is placed on the Unfavorable Calendar.

H.B. 974, A BILL TO BE ENTITLED AN ACT TO PROTECT PURCHASERS AND DISCOURAGE FRAUD BY PROHIBITING A PERSON FROM REQUESTING OR RECORDING, AS A CONDITION OF ACCEPTING A CHECK, A CREDIT CARD NUMBER OR ANY OTHER PERSONAL IDENTIFICATION INFORMATION ON A CHECK OR OTHER DRAFT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 9. The original bill is placed on the Unfavorable Calendar.

H.B. 1111, A BILL TO BE ENTITLED AN ACT TO REQUIRE PERSONS WHO ACCEPT USED GOODS ON CONSIGNMENT TO KEEP RECORDS OF THE CONSIGNED GOODS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 9. The original bill is placed on the Unfavorable Calendar.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lutz for the Committee on Local and Regional Government II:

H.B. 699, A BILL TO BE ENTITLED AN ACT TO AMEND THE FAYETTEVILLE CITY CHARTER RELATING TO THE FAYETTEVILLE SUPPLEMENTAL FIREMEN'S FUND, with a favorable report and recommendation that the bill be re-referred to the Committee on Pensions and Retirement.

H.B. 782, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF MOORESVILLE TO EXERCISE EXTRATERRITORIAL LAND-USE REGULATION WITHIN ONE MILE OF ITS SATELLITE CORPORATE LIMITS, with a favorable report.

H.B. 819, A BILL TO BE ENTITLED AN ACT TO AMEND THE ACT REGULATING THE BRUNSWICK COUNTY AIRPORT COMMISSION, with a favorable report.

H.B. 824, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE DURHAM CITY CHARTER RELATING TO THE TRANSPORTATION AUTHORITY, with a favorable report.

H.B. 825, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE DURHAM CITY CHARTER RELATING TO THE CITY MANAGER, with a favorable report.

By Representative Dawkins for the Committee on Judiciary II:

H.B. 378, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING TRESPASSING FOR PURPOSES OF HUNTING, with an unfavorable report.

H.B. 522, A BILL TO BE ENTITLED AN ACT TO CHANGE THE AUTHORITY OF THE COURT TO INSTITUTE CIVIL PROCEEDINGS FOR CONTEMPT FROM PERMISSIVE TO MANDATORY WHEN THE PARENT OF A JUVENILE ADJUDICATED AS DELINQUENT, UNDISCIPLINED, ABUSED, NEGLECTED, OR DEPENDENT FAILS TO COMPLY WITH THE ORDERS OF THE COURT OVER THE PARENT, with an unfavorable report.

By Representative Michaux for the Committee on Courts, Justice, Constitutional Amendments and Referenda:

H.B. 62, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR FOUR-YEAR TERMS FOR MEMBERS OF THE GENERAL ASSEMBLY, AND TO MAKE CONFORMING CHANGES TO OTHER STATUTES, with an unfavorable report.

H.B. 287, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO LIMIT THE NUMBER OF DAYS THE GENERAL ASSEMBLY MAY REMAIN IN SESSION EACH YEAR, with an unfavorable report.

By Representatives Hackney and Miller for the Committee on Finance:

Committee Substitute for **H.B. 54**, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE STATUTES RELATING TO CREDIT UNIONS, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Committee Substitute Bill No. 2 is placed on the Calendar for May 9. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 80**, A BILL TO BE ENTITLED AN ACT AUTHORIZING REGIONAL TRANSPORTATION AUTHORITIES TO LEVY A TAX ON GROSS RECEIPTS DERIVED FROM THE SHORT-TERM LEASE OR RENTAL OF PASSENGER MOTOR VEHICLES, with a favorable report, as amended.

H.B. 483, A BILL TO BE ENTITLED AN ACT TO MAKE IMPROVEMENTS IN THE FINANCIAL REGULATION OF CONTINUING CARE FACILITIES, with a favorable report.

H.B. 485, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A NORTH CAROLINA INTERPRETER CLASSIFICATION SYSTEM APPLICATION AND ASSESSMENT FEE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 9. The original bill is placed on the Unfavorable Calendar.

H.B. 642, A BILL TO BE ENTITLED AN ACT TO INCORPORATE CHIMNEY ROCK VILLAGE IN RUTHERFORD COUNTY, with a favorable report.

H.B. 674, A BILL TO BE ENTITLED AN ACT TO MERGE THE TOWNS OF JONESVILLE AND ARLINGTON IN YADKIN COUNTY, SUBJECT TO A REFERENDUM, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 9. The original bill is placed on the Unfavorable Calendar.

H.B. 756, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE CITY OF DUNN, with a favorable report.

Committee Substitute for **H.B. 800, A BILL TO BE ENTITLED AN ACT TO REVISE THE CORPORATE LIMITS OF THE TOWN OF NORWOOD,** with a favorable report.

H.B. 989, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SEPARATE PERMIT FOR HOTELS CHOOSING TO OFFER ALCOHOLIC BEVERAGE SALES FROM LOCKED CABINETS IN GUEST ROOMS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 9. The original bill is placed on the Unfavorable Calendar.

By Representative Kennedy for the Committee on Judiciary I:

H.B. 929, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE LAW, with a favorable report.

H.B. 1000, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA COMMUNITY TRUST FOR PERSONS WITH SEVERE CHRONIC DISABILITIES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 9. The original bill is placed on the Unfavorable Calendar.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Barnhill for the Permanent Subcommittee on Health and Mental Health of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 220, A BILL TO BE ENTITLED AN ACT TO INCREASE MEDICAL EXAMINER'S FEES TO MEET INCREASED COSTS AND TO ASSESS THE FEES AGAINST THE COUNTY WHERE THE DEATH OR FATAL INJURY OCCURRED IF THE DECEASED IS A RESIDENT OF THAT COUNTY, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 431, A BILL TO BE ENTITLED AN ACT TO REPEAL THE EXPIRATION DATE OF THE NORTH CAROLINA MEDICAL DATABASE COMMISSION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 1010, A BILL TO BE ENTITLED AN ACT TO LICENSE WHOLESALE DRUG DISTRIBUTORS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

On motion of Representative Barnhill, the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Green for the Permanent Subcommittee on Aging of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 971, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT PRESCRIPTION DRUG LABELS CONTAIN THE EXPIRATION DATE OF THE MEDICATION, with a favorable report.

SUBCOMMITTEE REFERRAL

Representatives Hackney and Miller, Chairmen for the Standing Committee on Finance, refer:

H.B. 318, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES FOR INITIAL OUTDOOR ADVERTISING PERMITS TO COVER THE COST OF PROCESSING THOSE PERMITS, to the Permanent Subcommittee on Ways and Means.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative J. W. Crawford for the Permanent Subcommittee on Water, Air and Soil of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 667, A BILL TO BE ENTITLED AN ACT TO REQUIRE AN APPLICANT SEEKING A PERMIT NOT DISCHARGING TO THE SURFACE WATERS OF THE STATE TO PROVIDE NOTICE TO THE CLERK OF EACH CITY AND COUNTY GOVERNMENT HAVING JURISDICTION OVER THE PROPOSED PERMIT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 9. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representative DeVane, Chairman for the Standing Committee on Environment, refers:

Committee Substitute for **H.B. 25**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ESTABLISH A COMMUNITY SERVICE PROGRAM; AND TO REQUIRE THAT COMMUNITY SERVICE SHALL BE PERFORMED IN EXCHANGE FOR REMITTED FINES, to the Permanent Subcommittee on Water, Air and Soil.

H.B. 135, A BILL TO BE ENTITLED AN ACT TO REQUIRE A CERTIFIED TRANSPORTER OF USED OIL TO MARK ALL ITS VEHICLES OR CONTAINERS OF USED OIL ON THE VEHICLES WHICH TRANSPORT USED OIL, to the Permanent Subcommittee on Solid Waste.

H.B. 596, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF NAGS HEAD, KILL DEVIL HILLS, SOUTHERN SHORES, KITTY HAWK, AND MANTEO TO ENACT ORDINANCES WHICH PROHIBIT THE SALE OR DISTRIBUTION OF ANY POLYSTYRENE FOAM PRODUCT WHICH IS USED IN CONJUNCTION WITH FOOD FOR HUMAN CONSUMPTION, to the Permanent Subcommittee on Solid Waste.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Warner, Bowman, Hurley, Smith, and Wood:

H.B. 1166, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPECIALIZED PLATES FOR VIETNAM VETERANS, is referred to the Committee on Transportation.

By Representatives James and Bowman:

H.B. 1167, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE AGRICULTURE, FORESTRY, AND SEA-FOOD AWARENESS STUDY COMMISSION, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives James and Bowman:

H.B. 1168, A BILL TO BE ENTITLED AN ACT TO FUND THE MILK SANITATION INSPECTION PROGRAM, is referred to the Committee on Appropriations.

By Representative J. W. Crawford:

H.B. 1169, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES FOR CONTINUATION OF SINGLE PORTAL OF ENTRY/SIMPLIFIED ACCESS PILOT PROJECTS, is referred to the Committee on Appropriations.

By Representatives J. W. Crawford and Bowman:

H.B. 1170, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO ESTABLISH SPEECH AND HEARING CLINICS FOR CHILDREN IN CERTAIN AREAS, is referred to the Committee on Appropriations.

By Representatives Easterling, Balmer, Barnhill, Foster, and McLaughlin:

H.B. 1171, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL EXPENSES OF DISCOVERY PLACE IN CHARLOTTE, is referred to the Committee on Appropriations.

By Representatives Easterling, Balmer, Barnhill, Foster, and McLaughlin:

H.B. 1172, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR OPERATING EXPENSES OF DISCOVERY PLACE IN CHARLOTTE, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 240, A BILL TO BE ENTITLED AN ACT TO ESTABLISH CONTINUING EDUCATION REQUIREMENTS FOR COSMETOLOGY TEACHERS AND TO REQUIRE ADEQUATE VENTILATION IN SHOPS AND SCHOOLS, is read the first time and referred to the Committee on State Government.

S.B. 277, A BILL TO BE ENTITLED AN ACT TO ASSIST STATE AGENCIES IN FILLING VACANCIES WITHIN SHORTAGE OCCUPATIONS, INCLUDING NURSING, is read the first time and referred to the Committee on Public Employees.

S.B. 293, A BILL TO BE ENTITLED AN ACT TO ALLOW AREA AUTHORITIES TO PROVIDE SERVICES UNDER CONTRACT TO CERTAIN ENTITIES, is read the first time and referred to the Committee on Human Resources.

S.B. 294, A BILL TO BE ENTITLED AN ACT ADOPTING THE ADULT SUBSTANCE ABUSE TREATMENT PLAN, is read the first time and referred to the Committee on Human Resources.

Committee Substitute for **S.B. 336**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE NORTH CAROLINA MEDICAL DATABASE COMMISSION, is read the first time and referred to the Committee on Commerce.

S.B. 357, A BILL TO BE ENTITLED AN ACT TO REVISE THE ADVISORY FUNCTIONS OF THE NUTRITION PROGRAM IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, is read the first time and referred to the Committee on Human Resources.

Committee Substitute for **S.B. 360**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DEFINITION OF "IMMINENT HAZARD" AS IT APPLIES TO CHAPTER 130A OF THE GENERAL STATUTES, is read the first time and referred to the Committee on Human Resources.

S.B. 411, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE PERINATAL HEALTH CARE PROGRAM ADVISORY COUNCIL, is read the first time and referred to the Committee on Human Resources.

S.B. 476, A BILL TO BE ENTITLED AN ACT TO REGULATE THE TEMPERATURE OF HOME WATER HEATERS TO HELP REDUCE THE RISK OF INJURIES AND DEATH, is read the first time and referred to the Committee on Human Resources.

Committee Substitute for **S.B. 502**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE "NO-WAKE" SPEED ZONE FOR MOTORBOATS IN TOPSAIL SOUND IN PENDER COUNTY, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 510, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PROCEDURE FOR CERTIFYING MUNICIPAL AD VALOREM TAX VALUATIONS IN WAKE COUNTY TO THE WAKE COUNTY BOARD OF ALCOHOLIC CONTROL, is read the first time and referred to the Committee on Local and Regional Government I.

Committee Substitute for **S.B. 518**, A BILL TO BE ENTITLED AN ACT TO DEFINE AND MAKE CRIMINAL INTERFERENCE WITH ANIMAL RESEARCH, is read the first time and referred to the Committee on Judiciary II.

S.B. 530, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON OPEN SEASONS FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN CERTAIN COUNTIES, is read the first time and referred to the Committee on Agriculture.

S.B. 575, A BILL TO BE ENTITLED AN ACT ADDING CASWELL COUNTY TO THOSE COUNTIES AUTHORIZED TO REGULATE TRESPASSING TO HUNT OR FISH ON PRIVATE LANDS BY LOCAL ORDINANCE, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 599, A BILL TO BE ENTITLED AN ACT PERMITTING THE CHILD OF A LEGISLATOR TO ATTEND SCHOOL IN THE LOCAL SCHOOL ADMINISTRATIVE UNIT IN WHICH HE RESIDES WHILE HIS PARENT SERVES IN THE GENERAL ASSEMBLY, is read the first time and referred to the Committee on Education.

S.B. 634, A BILL TO BE ENTITLED AN ACT TO REPEAL ACTS DIRECTING THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO BUILD A REGIONAL BEACH ACCESS FACILITY, is read the first time and referred to the Committee on Environment.

S.B. 635, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE CRIMINAL PENALTY FOR TAKING MIGRATORY GAME BIRDS WITH AN UNPLUGGED OR IMPROPERLY PLUGGED SHOTGUN, is read the first time and referred to the Committee on Agriculture.

S.B. 654, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT RULES FOR THE STORAGE OF FERTILIZER MATERIALS, is read the first time and referred to the Committee on Agriculture.

Committee Substitute for **S.B. 659**, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO STATUTES GOVERNING NATIONAL GUARD AWARDS, is read the first time and referred to the Committee on State Government.

S.B. 716, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO LAWS PERMITTING GRAND JURIES TO INVESTIGATE DRUG-TRAFFICKING CHARGES, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 791**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM OF MEDIATED SETTLEMENT CONFERENCES IN SUPERIOR COURT ACTIONS, is read the first time and referred to the Committee on Judiciary III.

S.B. 800, A BILL TO BE ENTITLED AN ACT REGARDING THE ALLOCATION OF SPACE IN THE NEW EDUCATION BUILDING, is read the first time and referred to the Committee on State Government.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 189, AN ACT TO PROVIDE THAT THE AUTHORITY OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES CONCERNING THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS IS THE SAME. (CHAPTER 72)

S.B. 362, AN ACT TO EXTEND THE TERM OF OFFICE OF THE MEMBERS OF THE U.S.S. NORTH CAROLINA BATTLESHIP COMMISSION. (CHAPTER 73)

H.B. 267, AN ACT TO AMEND THE DEFINITION OF "BUSINESS OPPORTUNITY" AND TO AMEND THE REQUIREMENTS FOR CHARITABLE SOLICITATION LICENSE APPLICANTS TO ALLOW A CERTIFICATE OF DEPOSIT IN LIEU OF A BOND. (CHAPTER 74)

H.B. 545, AN ACT TO CHANGE THE AUDITS OF ABC PROFITS IN THE TOWN OF ANGIER FROM QUARTERLY TO ANNUALLY. (CHAPTER 75)

H.B. 583, AN ACT TO MODIFY THE COMPOSITION OF THE KINSTON-LENOIR COUNTY TOURISM DEVELOPMENT AUTHORITY. (CHAPTER 76)

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Rogers for the Permanent Subcommittee on Pre-School, Elementary and Secondary Education of the Standing Committee on Education, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 92, A BILL TO BE ENTITLED AN ACT TO REQUIRE SCHOOL PRINCIPALS TO LIMIT THE AMOUNT OF TIME A SCHOOL COUNSELOR IS ASSIGNED TO NONCOUNSELING DUTIES, with a favorable report.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 723, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATING ORDINANCES OF THE CITY OF DURHAM, TO RAISE THE CITY'S FORMAL BID THRESHOLD, AND TO CHANGE THE DATE WHEN INTEREST ACCRUES ON A LIEN IS CREATED FOR A FACILITIES FEE IMPOSED BY THE CITY AND PAYABLE IN INSTALLMENTS**, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeralds, Jones, Jordan, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 103.

Voting in the negative: None.

Excused absence: Representative Kerr.

Committee Substitute for **H.B. 584, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE LAW ENFORCEMENT OFFICERS OF THE LOCAL GOVERNMENT UNIT DELIVERING A PRISONER TO THE ALBEMARLE DISTRICT JAIL TO PROVIDE TRANSPORTATION FOR THAT PRISONER TO AND FROM THE FACILITY,**

passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 652**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MANNER OF FILLING VACANCIES IN THE OFFICE OF THE REGISTERS OF DEEDS OF CAMDEN, CHOWAN, HALIFAX, PASQUOTANK, AND PERQUIMANS COUNTIES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 684**, A BILL TO BE ENTITLED AN ACT ALLOWING JOHNSTON COUNTY IN ARRIVING AT THE AMOUNT OF CONSIDERATION FOR AN ECONOMIC DEVELOPMENT CONVEYANCE TO TAKE INTO ACCOUNT PROSPECTIVE REVENUES GENERATED BY THE DEVELOPMENT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 23**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FUEL TAX STATUTES TO ENABLE NORTH CAROLINA TO ENTER THE INTERNATIONAL FUEL TAX AGREEMENT, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, N. J. Crawford, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Esposito, Ethridge, Flaherty, Fletcher, Foster, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Loflin, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Withrow, Wood, and Woodard - 99.

Voting in the negative: None.

Excused absence: Representative Kerr.

H.B. 400, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE BOARD OF MORTUARY SCIENCE PROCEDURES.

On motion of Representative Mercer, the vote by which the bill passed its second reading is reconsidered.

On motion of Representative Mercer, the vote by which Amendment No. 1 was adopted is reconsidered.

Amendment No. 1 is returned to Representative Mercer.

Representative Mercer offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Flaherty, Foster, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeralds, Jordan, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 100.

Voting in the negative: None.

Excused absence: Representative Kerr.

H.B. 445, A BILL TO BE ENTITLED AN ACT TO ALLOW DEPARTMENT OF REVENUE EMPLOYEES TO LEVY ON TAXPAYERS' PERSONAL PROPERTY TO COLLECT TAXES TO THE SAME EXTENT AS A LOCAL TAX COLLECTOR, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Esposito, Ethridge, Flaherty, Foster, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hasty, Hege, Hensley, Holmes, Holt, Howard, Jack Hunt, Judy Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Loflin, Luebke, Lutz, McAllister, McGee, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Redwine, Rhodes, Rhyne, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Wilmoth, Wilson, Withrow, and Woodard - 99.

Voting in the negative: Representatives Hightower, Huffman, and Warner - 3.

Excused absence: Representative Kerr.

SUBCOMMITTEE REFERRALS

Representative James, Chairman for the Standing Committee on Agriculture, refers:

S.B. 507, A BILL TO BE ENTITLED AN ACT TO DELETE BOND REQUIREMENTS FOR SEED DEALERS AND FERTILIZER MANUFACTURERS, to the Permanent Subcommittee on Crops and Animal Husbandry.

S.B. 509, A BILL TO BE ENTITLED AN ACT REGARDING DESIGNATION OF AGRICULTURAL PRODUCTS PRODUCERS' AGENCIES FOR THE PURPOSE OF FEDERAL COMMODITY ASSESSMENT PROGRAMS, to the Permanent Subcommittee on Crops and Animal Husbandry.

S.B. 669, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A PORK PROMOTION ASSESSMENT, to the Permanent Subcommittee on Crops and Animal Husbandry.

S.B. 363, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE INSPECTION AUTHORITY OF MARINE FISHERIES INSPECTION, to the Permanent Subcommittee on Aquaculture and Marine Fisheries.

S.B. 455, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONTROL OF AQUATIC WEEDS, to the Permanent Subcommittee on Aquaculture and Marine Fisheries.

H.B. 1160, A BILL TO BE ENTITLED AN ACT TO REPEAL THE NONRESIDENT BEAR HUNTING LICENSE REQUIREMENT IN ORDER TO PROMOTE RECIPROCITY WITH THE STATE OF TENNESSEE, to the Permanent Subcommittee on Forestry, Horticulture and Wildlife.

Committee Substitute **S.B. 475**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE WILDLIFE RESOURCES COMMISSION TO MODIFY THE BOUNDARIES OF A PORTION OF THE DANIEL BOONE BEAR SANCTUARY LOCATED IN CALDWELL AND AVERY COUNTIES, AND TO ALLOW THE HUNTING OF BEAR AND WILD BOAR FROM THE RIGHTS-OF-WAY OF UNPAVED ROADS IN AVERY, CALDWELL, AND WILKES COUNTIES, to the Permanent Subcommittee on Forestry, Horticulture and Wildlife.

CALENDAR (continued)

H.B. 425, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE HEALTH CARE PERSONNEL TO PROVIDE VOLUNTEER MEDICAL SERVICES AT LOCAL HEALTH DEPARTMENTS AND NONPROFIT COMMUNITY HEALTH CENTERS BY PROVIDING FOR LIMITED TORT LIABILITY PROTECTION, passes its third reading, by electronic vote (103-5), and is ordered sent to the Senate.

H.B. 282, A BILL TO BE ENTITLED AN ACT TO EXTEND THE EXPIRATION DATE FOR PRIVATE CONTRACT PARTICIPATION BY THE DEPARTMENT OF TRANSPORTATION, passes its

third reading, by electronic vote (107-0), and is ordered sent to the Senate.

H.B. 299, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE DESIGNATION OF TRUCK ROUTES, passes its third reading, by electronic vote (103-6), and is ordered sent to the Senate.

Committee Substitute for **H.B. 136**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISPOSAL OF CERTAIN CLASSES OF SOLID WASTE IN LANDFILLS OR BY INCINERATION.

Representative Grimmer offers Amendment No. 1 which is adopted by electronic vote (107-1).

The bill, as amended, passes its third reading, by electronic vote (87-19), and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 448**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF STOP-WORK ORDERS FOR VIOLATIONS OF THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973, passes its third reading, by electronic vote (89-17), and is ordered sent to the Senate.

Committee Substitute for **H.B. 455**, A BILL TO BE ENTITLED AN ACT TO CONFORM CERTAIN PROVISIONS OF THE WAGE AND HOUR ACT TO FEDERAL LAW, passes its third reading, by electronic vote (98-7), and is ordered sent to the Senate.

H.B. 913, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PERSONS WHO DERIVE A SIGNIFICANT PORTION OF THEIR INCOME FROM DEVELOPMENT-RELATED BUSINESS ACTIVITIES MAY NOT BE APPOINTED AS T-LARGE MEMBERS OF THE COASTAL RESOURCES COMMISSION, passes its second reading, by electronic vote (74-35), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 373, A BILL TO BE ENTITLED AN ACT TO INCLUDE QUALIFIED DISABLED WORKING INDIVIDUALS IN MEDICARE AS REQUIRED BY FEDERAL LAW, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 532, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE SERVICES TO ESTABLISH SECURITY REQUIREMENTS FOR CONTROLLED SUBSTANCES, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 926, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PROMOTER AND TICKET SALES AGENT MAY

AGREE TO CHARGE A REASONABLE SERVICE FEE THAT EXCEEDS THREE DOLLARS, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 928, A BILL TO BE ENTITLED AN ACT TO ELIMINATE BOND IN ACTIONS WHERE THE STATE OR A COUNTY IS THE PLAINTIFF, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 385, A BILL TO BE ENTITLED AN ACT TO AMEND THE MAKEUP OF THE YOUTH ADVISORY COUNCIL, passes its second reading, by electronic vote (101-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 411, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE GOVERNOR'S COUNCIL ON PHYSICAL FITNESS AND HEALTH TO SANCTION THE STATE GAMES AND OTHER COMPETITIVE ATHLETIC EVENTS FOR WHICH SANCTIONING BY THE STATE IS REQUIRED, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 552, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SUSPENSION OR REVOCATION OF PROFESSIONAL AND OCCUPATIONAL LICENSES OR CERTIFICATIONS OF A DEFENDANT CONVICTED OF A STATE OR FEDERAL DRUG OFFENSE.

Representative Dawkins moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

Representative Dawkins calls the previous question on the motion to withdraw the bill from the Calendar and re-refer to the Committee on Judiciary II.

Representative Mavretic moves that the call for the previous question be postponed indefinitely.

Representative Mavretic withdraws his motion to postpone indefinitely the call for the previous question.

The call for the previous question on the motion to withdraw the bill from the Calendar and re-refer to the Committee on Judiciary II is sustained by electronic vote (84-23).

The bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary II by electronic vote (60-53).

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative R. Hunter for the Committee on Judiciary III:

H.B. 379, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR HIGHER FINES FOR SPEEDERS DRIVING MORE THAN FIFTEEN MILES PER HOUR OVER THE SPEED LIMIT, with a favorable report, as amended.

H.B. 515, A BILL TO BE ENTITLED AN ACT TO MAKE SPEEDING IN A HIGHWAY WORK ZONE A MISDEMEANOR, TO IMPOSE A MINIMUM FINE FOR RECKLESS DRIVING IN A HIGHWAY WORK ZONE, AND TO PROHIBIT THE IMPOSITION OF CERTAIN FINES FOR RECKLESS DRIVING IN A WORK ZONE UNLESS A SIGN ADVISES MOTORISTS OF THE FINES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 9. The original bill is placed on the Unfavorable Calendar.

H.B. 597, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SBI TO FORM A TASK FORCE TO INVESTIGATE ALL CASES OF SUBSTANTIATED CHILD ABUSE OR NEGLECT IN DAY CARE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 9. The original bill is placed on the Unfavorable Calendar.

H.B. 604, A BILL TO BE ENTITLED AN ACT TO INCREASE THE SURETY BOND TO BE SUBMITTED BY AN APPLICANT FOR A LICENSE AS A MOTOR VEHICLE DEALER, MANUFACTURER, DISTRIBUTION BRANCH, OR FACTORY BRANCH, with a favorable report.

H.B. 852, A BILL TO BE ENTITLED AN ACT TO MAKE UNLAWFUL THE SALE OF CIGARETTES TO ANY PERSON WHO IS LESS THAN EIGHTEEN YEARS OLD, with a favorable report.

H.B. 861, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MOTOR VEHICLES SHALL STOP FOR SCHOOL BUSES EXHIBITING FLASHING RED STOPLIGHTS, with a favorable report, as amended.

H.B. 987, A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERSON TO BE CONVICTED DURING THE PERIOD OF DRIVERS LICENSE SUSPENSION FOR AN ACT COMMITTED DURING THAT PERIOD BEFORE THAT PERIOD MAY BE LENGTHENED, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 9. The original bill is placed on the Unfavorable Calendar.

H.B. 1117, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE TRANSFER OF JURISDICTION OVER A JUVENILE TO SUPERIOR COURT FOR TRIAL AS AN ADULT, with a favorable report.

By Representative Barnes for the Committee on Education:

H.B. 599, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE PUBLIC SCHOOL TENURE LAW, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 9. The original bill is placed on the Unfavorable Calendar.

H.B. 1086, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE PIEDMONT TRIAD RESEARCH INSTITUTE TO OPERATE THE PIEDMONT TRIAD GRADUATE ENGINEERING PROGRAM, BASED AT WAKE FOREST UNIVERSITY AND SERVING THE ENTIRE PIEDMONT TRIAD, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 9. The original bill is placed on the Unfavorable Calendar.

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 163, A BILL TO BE ENTITLED AN ACT TO PROVIDE A TAX CREDIT FOR THE USE OF NORTH CAROLINA PORTS, with a favorable report.

On motion of Representative Hackney, the bill is withdrawn from the Calendar for May 8 and placed on the Calendar for May 16.

CALENDAR (continued)

H.B. 714, A BILL TO BE ENTITLED AN ACT TO PERMIT VOLUNTEER FIRE DEPARTMENTS AND RESCUE SQUADS TO PURCHASE MATERIALS AND SUPPLIES UNDER STATE CONTRACT.

On motion of Representative Wainwright, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by electronic vote (89-0).

On motion of Representative Wainwright, further consideration of the bill is postponed until May 8.

H.B. 932, A BILL TO BE ENTITLED AN ACT TO ADOPT THE CAROLINA TARTAN AS THE OFFICIAL SCOTTISH TARTAN OF THE STATE OF NORTH CAROLINA, passes its second reading, by electronic vote (86-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

SUSPENSION TO RULES TO PLACE ON CALENDAR

On motion of Representative Nesbitt, the rules are suspended and **H.B. 463, A BILL TO BE ENTITLED AN ACT TO ADD ADDITIONAL ANABOLIC STEROIDS TO THE LIST OF CONTROLLED SUBSTANCES AND TO MAKE OTHER CHANGES TO CONFORM STATE LAW WITH THE FEDERAL LAW REGARDING THE CONTROL OF ANABOLIC STEROIDS**, is withdrawn from the Committee on Appropriations and placed on today's Calendar.

CALENDAR (continued)

H.B. 1060, A BILL TO BE ENTITLED AN ACT TO INCREASE THE LENGTH OF TIME FOR WHICH THE EFFECTIVE DATE OF A CERTIFICATE OF APPROPRIATENESS MAY BE DELAYED, passes its second reading by electronic vote (89-0).

Representative Pope objects to the third reading. The bill remains on the Calendar.

Representative Pope withdraws his objection to the third reading.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 638, A BILL TO BE ENTITLED AN ACT EXTENDING THE EXTRATERRITORIAL JURISDICTION OF THE TOWN OF MON-TREAT, passes its second reading, by electronic vote (95-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 473, A BILL TO BE ENTITLED AN ACT TO ESTABLISH POLICIES FOR PURCHASES BY PUBLIC LIBRARIES AND FOR THE USE OF PUBLIC LIBRARY FACILITIES.

Representative Pope offers Amendment No. 2 which is adopted.

Representative Mercer offers Amendment No. 3.

Responding to inquiry by Representative Pope, the Speaker rules that Amendment No. 3 is in order.

Amendment No. 3 fails of adoption.

The bill, as amended, passes its second reading, by electronic vote (98-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 838, A BILL TO BE ENTITLED AN ACT TO MAKE THE DESTRUCTION OF ANY CROP, PASTURE, OR PROVENDER A FELONY.

On motion of Representative Beall, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

Committee Substitute for **H.B. 1002**, A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PROVISIONS CONTAINED IN THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW.

Representative Brawley offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 1027**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PAYMENT OF A CONTRACTOR OR SUBCONTRACTOR IS NOT A CONDITION PRECEDENT FOR PAYMENT TO ANY SUBCONTRACTOR, passes its second reading, by electronic vote (94-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.
REPRESENTATIVE WICKER, MAJORITY LEADER, PRESIDING.

H.B. 771, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "INJURY" FOR PURPOSES OF THE WORKERS' COMPENSATION ACT.

The bill fails to pass its second reading by electronic vote (37-63).

H.B. 846, A BILL TO BE ENTITLED AN ACT TO AMEND INSURANCE LAWS RELATING TO INSURANCE PREMIUM FINANCING, passes its second reading, by electronic vote (89-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 449**, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE SEDIMENTATION POLLUTION CONTROL ACT, passes its second reading, by electronic vote (79-9), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S.B. 347, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COUNTY TAX ASSESSOR SHALL MAKE CERTAIN TAXPAYER BUSINESS RECORDS AVAILABLE TO THE EMPLOYMENT SECURITY COMMISSION ON REQUEST, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **H.B. 570**, A BILL TO BE ENTITLED AN ACT TO STUDY THE ORGANIZATIONAL STRUCTURE OF THE MARINE FISHERIES COMMISSION AND THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT,

HEALTH, AND NATURAL RESOURCES, passes its second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.
SPEAKER BLUE PRESIDING.

Committee Substitute for **H.B. 956**, A BILL TO BE ENTITLED AN ACT TO BAN CORPORAL PUNISHMENT IN DAY-CARE PROGRAMS OTHER THAN CHURCH DAY-CARE PROGRAMS.

Representative Jeralds calls the previous question on the passage of the bill.

Representative Cunningham moves that the call for the previous question on the passage of the bill be postponed indefinitely.

Representative Cunningham withdraws the motion to postpone indefinitely the call for the previous question on the passage of the bill.

The call for the previous question on the passage of the bill is sustained by electronic vote (83-22).

The bill passes its second reading by electronic vote (66-42).

Representative Wilson objects to the third reading. The bill remains on the Calendar.

Representative Jack Hunt moves, seconded by Representative Dockham, subject to the reading of notices and announcements, that the House do now adjourn. This motion carries.

The House adjourns at 5:37 p.m. to reconvene May 8 at 1:30 p.m.

SIXTIETH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 8, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Fitch, for the Committee on Rules, Appointments and Calendar reports the Journal of May 7 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Beall, Hardaway, Kerr, Lewis, Lineberry, McLawhorn, and Smith for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Mavretic for the Committee on State Government:

H.B. 346, A BILL TO BE ENTITLED AN ACT TO INCREASE FEES CHARGED BY THE BOARD OF PODIATRY EXAMINERS AND TO PROVIDE FOR TEMPORARY PODIATRY LICENSES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Lutz for the Committee on Local and Regional Government II:

H.B. 585, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWNS OF HOLDEN BEACH, LONG BEACH, OCEAN ISLE BEACH, SUNSET BEACH, AND YAUPON BEACH TO ESTABLISH SEA TURTLE SANCTUARIES WITHIN THEIR TOWN LIMITS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 10. The original bill is placed on the Unfavorable Calendar.

H.B. 735, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BUNCOMBE COUNTY TO ADOPT "PREDEVELOPMENT ORDINANCES", with a favorable report.

H.B. 763, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE CITY OF DURHAM CHARTER, with a favorable report.

H.B. 764, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY AND COUNTY OF DURHAM TO ALLOW ZONING DENSITY BONUSES IN PROJECTS CONTAINING SPECIFIED AMOUNTS OF LOW AND MODERATE INCOME HOUSING, with a favorable report.

S.B. 299, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF LEWISVILLE IN FORSYTH COUNTY, with a favorable report, as amended.

On motion of Representative Lutz, Committee Amendment No. 1 is adopted.

On motion of Representative Lutz, the bill, as amended, is re-referred to the Committee on Finance.

SUBCOMMITTEE REFERRALS

Representative James, Chairman for the Standing Committee on Agriculture, refers:

S.B. 530, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON OPEN SEASONS FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN CERTAIN COUNTIES, to the Permanent Subcommittee on Forestry, Horticulture and Wildlife.

S.B. 635, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE CRIMINAL PENALTY FOR TAKING MIGRATORY GAME BIRDS WITH AN UNPLUGGED OR IMPROPERLY PLUGGED SHOTGUN, to the Permanent Subcommittee on Forestry, Horticulture and Wildlife.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Kennedy for the Committee on Judiciary I:

H.B. 419, A BILL TO BE ENTITLED AN ACT RELATING TO REVIVAL OF WILL PROVISIONS REVOKED BY DIVORCE, ANNULMENT, OR EXECUTION OF A NEW WILL AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

H.B. 605, A BILL TO BE ENTITLED AN ACT TO CLARIFY PROCEDURAL REQUIREMENTS FOR DISPOSITIONS COMMITTING JUVENILES TO THE DIVISION OF YOUTH SERVICES, with a favorable report.

H.B. 998, A BILL TO BE ENTITLED AN ACT GRANTING ENFORCEMENT INSPECTORS AND OFFICERS OF THE DIVISION OF MOTOR VEHICLES THE AUTHORITY TO ASSIST IN THE ENFORCEMENT OF LAWS WHEN A CRIME HAS BEEN COMMITTED IN THEIR PRESENCE OR WHEN A STATE OR LOCAL LAW ENFORCEMENT AGENCY HAS REQUESTED THEIR ASSISTANCE, with an unfavorable report.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Black for the Permanent Subcommittee on Community Colleges of the Standing Committee on Education, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 740, A BILL TO BE ENTITLED AN ACT RELATING TO ELIGIBILITY TO SERVE ON A COMMUNITY COLLEGE BOARD OF TRUSTEES, with a favorable report, as amended.

By Representative Thompson for the Permanent Subcommittee on Solid Waste of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 135, A BILL TO BE ENTITLED AN ACT TO REQUIRE A CERTIFIED TRANSPORTER OF USED OIL TO MARK ALL ITS VEHICLES OR CONTAINERS OF USED OIL ON THE VEHICLES WHICH TRANSPORT USED OIL, with a favorable report.

H.B. 620, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE RECYCLING OF LEAD-ACID BATTERIES AND TO OTHERWISE REGULATE THE DISPOSAL OF LEAD-ACID BATTERIES, with a favorable report, as amended.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Ramsey for the Committee on Public Employees:

H.B. 907, A BILL TO BE ENTITLED AN ACT TO GIVE GENERAL PAY INCREASES PRIORITY OVER PERFORMANCE PAY AS THE GOVERNOR AND GENERAL ASSEMBLY DETERMINE THE APPROPRIATE ALLOCATION OF STATE EMPLOYEE SALARY INCREASES RELATING TO COST OF LIVING ADJUSTMENTS AND PERFORMANCE PAY, with a favorable report, as amended.

H.B. 953, A BILL TO BE ENTITLED AN ACT TO EXEMPT AREA MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE AUTHORITIES FROM CERTAIN PROVISIONS OF THE STATE PERSONNEL ACT, with a favorable report, as amended.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Hurley for the Permanent Subcommittee on Public Transportation of the Standing Committee on Transportation, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 402, A BILL TO BE ENTITLED AN ACT TO PERMIT THE DIVISION OF MOTOR VEHICLES TO CORRECT ITS RECORDS USING FORWARDING ADDRESSES FURNISHED BY THE POSTAL SERVICE, with a favorable report.

RE-REFERRAL

On motion of Representative Dawkins, **H.B. 283**, A BILL TO BE ENTITLED AN ACT TO RAISE THE MAXIMUM FEES FOR MEDICAL EXAMINER SERVICES, is withdrawn from the Committee on Finance and re-referred to the Committee on Judiciary II.

On motion of Representative Jarrell, **H.B. 834**, A BILL TO BE ENTITLED AN ACT TO CREATE A SAFE BOATING ADVISORY COMMITTEE, is withdrawn from the Committee on Finance and re-referred to the Committee on Appropriations.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative J. W. Crawford for the Permanent Subcommittee on Water, Air and Soil of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

Committee Substitute No. 1 for **H.B. 25**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ESTABLISH A COMMUNITY SERVICE PROGRAM; AND TO REQUIRE THAT COMMUNITY SERVICE SHALL BE PERFORMED IN EXCHANGE FOR REMITTED FINES, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Committee Substitute Bill No. 2 is placed on the Calendar for May 10. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 873, A BILL TO BE ENTITLED AN ACT TO POSTPONE THE DEADLINE: (1) FOR COMPLETING THE CLASSIFICATION OF WATER SUPPLY WATERSHEDS AND (2) FOR SUBMITTING LOCAL WATER SUPPLY ORDINANCES, with a favorable report.

H.B. 924, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ISSUANCE OF A PERMIT TO EMIT AIR CONTAMINANTS UNTIL EACH LOCAL GOVERNMENT HAVING JURISDICTION STATES THAT THE PROPOSED FACILITY IS CONSISTENT WITH LOCAL LAND-USE PLANS IF IT HAS SUCH A PLAN, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 10. The original bill is placed on the Unfavorable Calendar.

H.B. 1124, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 10. The original bill is placed on the Unfavorable Calendar.

By Representative Jones for the Permanent Subcommittee on Children, Youth and Families of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 408, A BILL TO BE ENTITLED AN ACT TO AMEND THE CERTIFICATE OF NEED LAW TO IMPROVE THE ABILITY TO PLAN FOR CHEMICAL DEPENDENCY TREATMENT BEDS AND TO MAKE CLEAR THAT THE STATE MEDICAL FACILITIES

PLAN LIMITS THE NUMBER OF BEDS OR FACILITIES THAT MAY BE APPROVED, with a favorable report.

By Representative Jones for the Permanent Subcommittee on Children, Youth and Families:

H.B. 890, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NEWBORN SCREENING PROGRAM WITHIN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, reported to the Standing Committee on Human Resources, with a favorable recommendation and recommend that the bill be referred to the Committee on Finance.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives H. Hunter, Barnes, Barnhill, Bowie, Cunningham, Dial, Diamont, Fitch, Green, Hackney, Hardaway, Hensley, Jeralds, Kahl, Kennedy, McAllister, Michaux, Nesbitt, Oldham, Privette, Rhodes, Wainwright, and Withrow:

H.B. 1173, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH AN OFFICE OF MINORITY HEALTH AND A MINORITY HEALTH ADVISORY COMMITTEE WITHIN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, is referred to the Committee on Appropriations.

By Representatives Albertson, Abernethy, Barbee, Bowen, Bowie, Bowman, Brown, Chapin, Colton, N. J. Crawford, Creech, DeVane, Grady, Greenwood, Hightower, Jack Hunt, Judy Hunt, R. Hunter, James, Lilley, Loflin, Lutz, McLaughlin, McLawhorn, Mavretic, Mercer, Nesbitt, Nye, Privette, Ramsey, Russell, Thompson, and Wainwright:

H.B. 1174, A BILL TO BE ENTITLED AN ACT TO PROVIDE INCREASED APICULTURAL SUPPORT AT NORTH CAROLINA STATE UNIVERSITY AND INCREASED APICULTURAL INSPECTION SERVICES AT THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE, is referred to the Committee on Appropriations.

By Representatives Colton, N. J. Crawford, Greenwood, and Nesbitt:

H.B. 1175, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE THE ADVERTISING BUDGET OF THE DIVISION OF TRAVEL AND TOURISM, is referred to the Committee on Appropriations.

By Representative Jeralds:

H.B. 1176, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A RESIDENTIAL SUBSTANCE ABUSE TREATMENT FACILITY FOR CUMBERLAND COUNTY MENTAL HEALTH CENTER, is referred to the Committee on Appropriations.

By Representative Redwine:

H.B. 1177, A BILL TO BE ENTITLED AN ACT TO INCREASE VARIOUS FEES CHARGED BY REGISTERS OF DEEDS AND TO AUTHORIZE THE IMPOSITION OF FEES RELATED TO UNIFORM COMMERCIAL CODE FIXTURE FILINGS AND TERMINATION STATEMENTS, is referred to the Committee on Finance.

By Representative Redwine:

H.B. 1178, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CASWELL BEACH TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is referred to the Committee on Finance.

By Representatives Wicker and Bowman:

H.B. 1179, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT THE COMMUNITY COLLEGE EDUCATION BLUEPRINT, is referred to the Committee on Appropriations.

By Representatives Wicker and Bowman:

H.B. 1180, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EQUIPMENT PURCHASES IN THE COMMUNITY COLLEGE SYSTEM, is referred to the Committee on Appropriations.

By Representatives Gardner and Bowman:

H.B. 1181, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE UNINSURED MOTORIST STUDY COMMISSION, is referred to the Committee on Rules, Appointments and Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute No. 2 for **S.B. 69**, A BILL TO BE ENTITLED AN ACT TO REGULATE THE TRANSMISSION OF MONEY AND THE SALE OF CHECKS, is read the first time and referred to the Committee on Commerce.

S.B. 281, A BILL TO BE ENTITLED AN ACT TO PROVIDE REVIEW OFFICERS WITH SUBPOENA POWER, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 333**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO AND CORRECTIONS IN THE INSURANCE LAWS, is read the first time and referred to the Committee on Commerce.

Committee Substitute for **S.B. 377**, A BILL TO BE ENTITLED AN ACT TO ALLOW DISCRETION BY THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AS TO WHETHER TO SEEK FEDERAL APPROVAL OF ANY INACTIVE

HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE CLEAN-UP AND AS TO WHETHER ENVIRONMENTAL PERMITS ARE REQUIRED FOR CLEANUPS CONDUCTED ENTIRELY ON-SITE, is read the first time and referred to the Committee on Environment.

Committee Substitute for S.B. 438, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO PROTECT CERTAIN CONFIDENTIAL INFORMATION, is read the first time and referred to the Committee on Judiciary III.

Committee Substitute for S.B. 477, A BILL TO BE ENTITLED AN ACT TO PERMIT NEW HANOVER COUNTY TO PROVIDE PROCEDURES FOR EVALUATING CONTRACTORS BY ORDINANCE, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 508, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FEE FOR FEED TESTING, is read the first time and referred to the Committee on Agriculture.

S.B. 537, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DISTRIBUTION OF THE PROFITS FROM THE CITY OF STATESVILLE ABC SYSTEM, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 553, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING ON OR ACROSS THE RIGHT-OF-WAY OF PUBLIC ROADS OR HIGHWAYS IN A PORTION OF FRANKLIN COUNTY AND TO REQUIRE WRITTEN PERMISSION BEFORE HUNTING ON OR ACROSS THE RIGHT-OF-WAY OF PUBLIC ROADS OR HIGHWAYS IN THE REMAINDER OF FRANKLIN COUNTY, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 650, A BILL TO BE ENTITLED AN ACT TO EXPEDITE ADOPTIONS THROUGH THE VOLUNTARY PAYMENT OF FEES FOR CERTAIN SERVICES, is read the first time and referred to the Committee on Finance.

S.B. 703, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE TRAVEL AND TOURISM POLICY OF NORTH CAROLINA, is read the first time and referred to the Committee on Economic Expansion.

S.B. 744, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE EXPUNCTION OF THE RECORD OF A DEFENDANT NOT PREVIOUSLY CONVICTED OF A FELONY WHEN CRIMINAL CHARGES AGAINST THE DEFENDANT ARE DISMISSED OR THERE IS A FINDING OF NOT GUILTY, is read the first time and referred to the Committee on Judiciary I.

S.B. 754, A BILL TO BE ENTITLED AN ACT TO REGULATE SUNDAY SALES AND CONSUMPTION OF ALCOHOLIC BEVERAGES, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 773**, A BILL TO BE ENTITLED AN ACT TO PERMIT RECYCLABLE PLASTIC YOKES OR RING TYPE HOLDING DEVICES, is read the first time and referred to the Committee on Environment.

Committee Substitute for **S.B. 802**, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, is read the first time and referred to the Committee on Environment.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 347, AN ACT TO PROVIDE THAT THE COUNTY TAX ASSESSOR SHALL MAKE CERTAIN TAXPAYER BUSINESS RECORDS AVAILABLE TO THE EMPLOYMENT SECURITY COMMISSION ON REQUEST. (CHAPTER 77)

S.B. 457, AN ACT TO CONSOLIDATE ALL OF THE SCHOOL ADMINISTRATIVE UNITS IN GUILFORD COUNTY OR TO PROVIDE FOR THE TWO CITY SCHOOL ADMINISTRATIVE UNITS IN THE COUNTY TO HAVE BOUNDARIES COTERMINOUS WITH THE CITIES, SUBJECT TO A REFERENDUM. (CHAPTER 78)

H.B. 9, AN ACT TO REINSTATE SALES TAX ON MOPEDS, TOW DOLLIES, AND CERTAIN VEHICLE BODIES AND TO ESTABLISH A UNIFORM LONG-TERM LEASING RATE. (CHAPTER 79)

H.B. 688, AN ACT TO AUTHORIZE MARTIN COUNTY TO LEVY A ROOM OCCUPANCY AND TRAVEL AND TOURISM TAX. (CHAPTER 80)

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 723**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATING ORDINANCES OF THE CITY OF DURHAM, TO RAISE THE CITY'S FORMAL BID THRESHOLD, AND TO CHANGE THE DATE WHEN INTEREST ACCRUES ON AND A LIEN IS CREATED FOR A FACILITIES FEE IMPOSED BY THE CITY AND PAYABLE IN INSTALLMENTS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barnes, Barnhill, Beard, Black, Bowen, Bowie, Brawley, Brown, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Fitch, Flaherty, Foster, Gamble, Gardner, Gist, Gottovi, Grady, Greenwood,

Hackney, Hasty, Hege, Hensley, Hightower, Howard, Huffman, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Ligon, Lilley, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyme, Robinson, Rogers, Russell, Stewart, Tallent, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 91.

Voting in the negative: None.

Excused absences: Representatives Beall, Hardaway, Kerr, Lewis, Lineberry, and Smith - 6.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Gist for the Committee on Local and Regional Government I:

H.B. 641, A BILL TO BE ENTITLED AN ACT TO EXEMPT UNION COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE CONSTRUCTION OF A COUNTY DETENTION FACILITY, with a favorable report, as amended.

H.B. 691, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CITY OF SALISBURY'S LOCAL MODIFICATIONS TO G.S. 58-84-35, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Pensions and Retirement.

On motion of Representative Gist, Committee Amendment No. 1, which changes the title, is adopted.

The bill is ordered engrossed and re-referred to the Committee on Pensions and Retirement.

H.B. 802, A BILL TO BE ENTITLED AN ACT TO ENABLE THE TOWN OF LAUREL PARK TO ASSESS BENEFITED PROPERTY OWNERS FOR STREET AND SIDEWALK IMPROVEMENTS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H.B. 809, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE SEVEN LAKES COMMUNITY IN MOORE COUNTY, with a favorable report.

H.B. 810, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STUDY OF ANNEXATION AND FUTURE MUNICIPAL GROWTH AMONG THE MUNICIPALITIES LOCATED IN MOORE COUNTY, with a favorable report.

H.B. 816, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE IN DAVIDSON COUNTY FOR SECOND DEGREE TRESPASS AND TO CREATE A NEW OFFENSE OF THIRD DEGREE TRESPASS, with a favorable report.

CALENDAR (continued)

H.B. 573, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE ALL OF THE SCHOOL ADMINISTRATIVE UNITS IN GUILFORD COUNTY OR TO PROVIDE FOR THE TWO CITY SCHOOL ADMINISTRATIVE UNITS IN THAT COUNTY TO HAVE BOUNDARIES COTERMINOUS WITH THE CITIES, SUBJECT TO A REFERENDUM.

On motion of Representative Gist, the bill is withdrawn from the Calendar and re-referred to the Committee on Local and Regional Government I.

H.B. 642, A BILL TO BE ENTITLED AN ACT TO INCORPORATE CHIMNEY ROCK VILLAGE IN RUTHERFORD COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barnes, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gamble, Gist, Gottovi, Grady, Gray, Greenwood, Hackney, Hasty, Hege, Hensley, Hightower, Holt, Huffman, Judy Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Ligon, Lilley, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Stamey, Stewart, Tallent, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 96.

Voting in the negative: None.

Excused absences: Representatives Beall, Hardaway, Kerr, Lewis, Lineberry, and Smith - 6.

H.B. 756, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE CITY OF DUNN, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barnes, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Greenwood, Grimmer, Hackney, Hasty, Hege, Hensley, Hightower, Holt, Howard, Huffman, Judy Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Ligon, Lilley, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Stamey,

Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 103.

Voting in the negative: None.

Excused absences: Representatives Beall, Hardaway, Kerr, Lewis, Lineberry, and Smith - 6.

Committee Substitute for **H.B. 800**, A BILL TO BE ENTITLED AN ACT TO REVISE THE CORPORATE LIMITS OF THE TOWN OF NORWOOD, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barnes, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Greenwood, Grimmer, Hackney, Hasty, Hege, Hensley, Hightower, Holt, Howard, Huffman, Judy Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Ligon, Lilley, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 103.

Voting in the negative: None.

Excused absences: Representatives Beall, Hardaway, Kerr, Lewis, Lineberry, and Smith - 6.

H.B. 782, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF MOORESVILLE TO EXERCISE EXTRATERRITORIAL LAND-USE REGULATION WITHIN ONE MILE OF ITS SATELLITE CORPORATE LIMITS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 819, A BILL TO BE ENTITLED AN ACT TO AMEND THE ACT REGULATING THE BRUNSWICK COUNTY AIRPORT COMMISSION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 824, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE DURHAM CITY CHARTER RELATING TO THE TRANSPORTATION AUTHORITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 825, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE DURHAM CITY CHARTER RELATING

TO THE CITY MANAGER, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

CONFEREES APPOINTED

The Speaker announces the following conferees on **H.B. 8, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE HIGHWAY TRUST FUND AND TO MAKE TECHNICAL CHANGES TO THE LAWS AFFECTED BY THE HIGHWAY TRUST FUND**, Representatives R. Hunter, Lilley and Brawley.

The Senate is so notified by Special Message.

CALENDAR (continued)

H.B. 445, A BILL TO BE ENTITLED AN ACT TO ALLOW DEPARTMENT OF REVENUE EMPLOYEES TO LEVY ON TAXPAYERS' PERSONAL PROPERTY TO COLLECT TAXES TO THE SAME EXTENT AS A LOCAL TAX COLLECTOR, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barnes, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gottovi, Grady, Greenwood, Grimmer, Hackney, Hasty, Hege, Hensley, Hightower, Holt, Howard, Judy Hunt, Sam Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Kimsey, Ligon, Lilley, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Oldham, Payne, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Stamey, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 95.

Voting in the negative: Representatives Huffman and Wood - 2.

Excused absences: Representatives Beall, Hardaway, Kerr, Lewis, Lineberry, and Smith - 6.

H.B. 400, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE BOARD OF MORTUARY SCIENCE PROCEDURES.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barnes, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gottovi,

Greenwood, Grimmer, Hackney, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kennedy, Kimsey, Ligon, Lilley, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Payne, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Stamey, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 97.

Voting in the negative: None.

Excused absences: Representatives Beall, Hardaway, Kerr, Lewis, Lineberry, and Smith - 6.

Committee Substitute for **H.B. 80**, A BILL TO BE ENTITLED AN ACT AUTHORIZING REGIONAL TRANSPORTATION AUTHORITIES TO LEVY A TAX ON GROSS RECEIPTS DERIVED FROM THE SHORT-TERM LEASE OR RENTAL OF PASSENGER MOTOR VEHICLES.

On motion of Representative R. Hunter, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Barnes, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Gray, Green, Greenwood, Grimmer, Hackney, Hege, Hensley, Hightower, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Ligon, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 99.

Voting in the negative: Representatives Balmer, Creech, Decker, Grady, Hasty, Holmes, Loflin, and Wood - 8.

Excused absences: Representatives Beall, Hardaway, Kerr, Lewis, Lineberry, and Smith - 6.

H.B. 483, A BILL TO BE ENTITLED AN ACT TO MAKE IMPROVEMENTS IN THE FINANCIAL REGULATION OF CONTINUING CARE FACILITIES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barnhill, Beard, Black, Bowen, Bowie, Bowman,

Brawley, Brown, Brubaker, Buchanan, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Fitch, Flaherty, Foster, Fussell, Gamble, Gottovi, Grady, Gray, Green, Grimmer, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Ligon, Loflin, Luebke, Lutz, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 99.

Voting in the negative: None.

Excused absences: Representatives Beall, Hardaway, Kerr, Lewis, Lineberry, and Smith - 6.

Committee Substitute for **H.B. 956**, A BILL TO BE ENTITLED AN ACT TO BAN CORPORAL PUNISHMENT IN DAY-CARE PROGRAMS OTHER THAN CHURCH DAY-CARE PROGRAMS.

Representative Wilson offers Amendment No. 1.

On motion of Representative Jeralds, seconded by Representative Fitch, Amendment No. 1 is tabled by electronic vote (57-47).

Representative Jeralds calls the previous question on the passage of the bill and the call is sustained.

The bill passes its third reading, by electronic vote (69-38), and is ordered sent to the Senate.

H.B. 714, A BILL TO BE ENTITLED AN ACT TO PERMIT VOLUNTEER FIRE DEPARTMENTS AND RESCUE SQUADS TO PURCHASE MATERIALS AND SUPPLIES UNDER STATE CONTRACT.

Representative Dawkins offers Amendment No. 2 which is adopted by electronic vote (96-0).

The bill, as amended, passes its third reading, by electronic vote (96-0), and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 89**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REGISTRATION, IDENTIFICATION, AND REPORTING REQUIREMENTS FOR LOBBYISTS AND THEIR PRINCIPALS; TO PROHIBIT CAMPAIGN FUND-RAISING FROM LOBBYISTS FOR LEGISLATORS AND COUNCIL OF STATE MEMBERS WHILE THE GENERAL ASSEMBLY IS IN REGULAR SESSION; AND TO REQUIRE A ONE-YEAR WAIT AFTER THEY LEAVE OFFICE BEFORE LOBBYING MAY BE DONE BY FORMER MEMBERS AND PRESIDING OFFICERS OF THE GENERAL ASSEMBLY, FORMER COUNCIL OF STATE MEMBERS, AND FORMER CABINET SECRETARIES.

Representative Kerr moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Ethics.

Representative Wicker moves, seconded by Representative Fletcher, that the motion to re-refer the bill to the Committee on Ethics do lie upon the table. This motion fails by electronic vote (43-66).

Representative Kerr calls the previous question on the motion to withdraw the bill from the Calendar and re-refer to the Committee on Ethics and the call is sustained.

The question before the House is the motion to withdraw the bill from the Calendar and re-refer to the Committee on Ethics. This motion carries by electronic vote (60-52).

H.B. 372, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW RELATING TO THERAPEUTIC LEAVE FOR MEDICAL ASSISTANCE PATIENTS.

Representative Russell offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (78-7).

Representative Ethridge objects to the third reading. The bill remains on the Calendar.

REPORT OF COMMITTEE

The following reports from standing committee are presented:

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

H.J.R. 65, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE JOHN C. CAMPBELL FOLK SCHOOL AND THE PENLAND SCHOOL OF CRAFTS AND DECLARING BOTH SCHOOLS AS NORTH CAROLINA ARTS AND CRAFTS RESOURCES, with a favorable report.

H.B. 528, A BILL TO BE ENTITLED AN ACT TO AMEND THE FREQUENCY OF REPORTS PREPARED FOR THE GENERAL ASSEMBLY AND VARIOUS COMMISSIONS AND COMMITTEES OF THE GENERAL ASSEMBLY BY AGENCIES, BOARDS, COMMISSIONS, AND DEPARTMENTS AS SPECIFIED, with a favorable report.

H.B. 891, A BILL TO BE ENTITLED AN ACT TO CLARIFY QUALIFICATIONS FOR A STATE BUILDING COMMISSION MEMBER, with a favorable report.

H.J.R. 919, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WILSON FRANKLIN YARBOROUGH, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report as to committee substitute joint resolution, unfavorable as to original joint resolution.

On motion of Representative Beard, the rules are suspended and the committee substitute joint resolution is placed on the Calendar for May 13 as a Special Order of Business. The original joint resolution is placed on the Unfavorable Calendar.

H.B. 1075, A BILL TO BE ENTITLED AN ACT TO MODIFY THE APPEARANCE OF THE MOTOR VEHICLE REGISTRATION PLATES ISSUED TO MEMBERS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES, with a favorable report.

S.B. 829, A BILL TO BE ENTITLED AN ACT CONCERNING THE STATE BOARD OF COMMUNITY COLLEGES, with a favorable report.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Green for the Permanent Subcommittee on Aging:

H.B. 970, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT FOR PHYSICIANS TO OBTAIN A PHARMACY PERMIT, reported to the Standing Committee on Human Resources, with a favorable recommendation as to proposed committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the proposed committee substitute bill be re-referred to the Committee on Finance.

WITHDRAW FROM CALENDAR

On motion of Representative Kerr, **H.B. 902, A BILL TO BE ENTITLED AN ACT TO REMOVE FARM COVERAGES FROM THE JURISDICTION OF THE NORTH CAROLINA RATE BUREAU,** is withdrawn from the Calendar for May 13 and placed on the Calendar for May 10.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Colton for the Committee on Ethics:

H.B. 1106, A BILL TO BE ENTITLED AN ACT TO EXPAND THE JURISDICTION OF THE LEGISLATIVE ETHICS COMMITTEE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 10. The original bill is placed on the Unfavorable Calendar.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Hightower for the Permanent Subcommittee on Hazardous Waste of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 1068, A BILL TO BE ENTITLED AN ACT TO PROTECT THE PUBLIC HEALTH BY REQUIRING THAT LOW-LEVEL RADIOACTIVE WASTE WITH LEVELS OF RADIATION BELOW THAT REGULATED BY THE FEDERAL GOVERNMENT BE TREATED, RECYCLED, STORED, OR DISPOSED OF AT A LOW-LEVEL RADIOACTIVE WASTE DISPOSAL FACILITY LICENSED PURSUANT TO CHAPTER 104E OF THE GENERAL STATUTES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 10. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

Committee Substitute for **H.B. 332**, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW REGARDING THE GOVERNOR'S APPOINTMENTS TO THE GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES TO FEDERAL LAW, passes its second reading, by electronic vote (89-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 671, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT VOTER LISTS MAY BE PROVIDED BY COUNTY BOARDS OF ELECTIONS ONLY FOR POLITICAL ENTITIES AND FOR JURY SELECTION PURPOSES.

On motion of Representative Jeralds, consideration of the bill is postponed until May 10.

H.B. 132, A BILL TO BE ENTITLED AN ACT TO REQUIRE NOTICE BY CERTIFIED LETTER OF MEETING AT WHICH DRAINAGE ASSESSMENTS ARE DETERMINED.

On motion of Representative Anderson, Committee Amendment Nos. 1 and 2 are adopted.

The bill, as amended, passes its second reading, by electronic vote (88-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 1118, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING THE PRETRIAL RELEASE OF JUVENILES, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1119, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW RELATING TO THE INTERMITTENT COMMITMENT OF DELINQUENT JUVENILES, passes its second reading, by electronic vote (84-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Greenwood for the Committee on Pensions and Retirement:

H.B. 380, A BILL TO BE ENTITLED AN ACT TO PROVIDE POST-RETIREMENT ALLOWANCE INCREASES TO CERTAIN RETIRED GENERAL EMPLOYEES, LAW OFFICERS, AND THEIR BENEFICIARIES IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND TO CERTAIN RETIRED LAW OFFICERS AND THEIR BENEFICIARIES IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H.B. 600, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE LOCAL SUPPLEMENTAL RETIREMENT BENEFIT FUND FOR FIREFIGHTERS IN THE TOWN OF CARY, IN WAKE COUNTY, with a favorable report.

H.B. 663, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAW RELATING TO SUPPLEMENTAL RETIREMENT FUNDS FOR FIREMEN IN THE CITY OF ROCKY MOUNT TO PROVIDE A SUPPLEMENTAL RETIREMENT FUND FOR THE FIREMEN, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 10. The original bill is placed on the Unfavorable Calendar.

H.B. 807, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE CONOVER FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, with a favorable report.

H.B. 999, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A MEMBER OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE TIME LOST DUE TO INTERRUPTED SERVICE FOR MATERNITY LEAVE, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of Representative DeVane, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Appropriations.

CALENDAR (continued)

H.B. 865, A BILL TO BE ENTITLED AN ACT TO ALLOW A LIMITED REPRESENTATIVE TO RECEIVE A LICENSE TO SELL CREDIT PROPERTY INSURANCE AND AUTOMOBILE PHYSICAL DAMAGE INSURANCE ISSUED IN CONNECTION WITH A LOAN.

On motion of Representative R. Hunter, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (92-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 418, A BILL TO BE ENTITLED AN ACT TO CODIFY THE COMMON LAW IN RESOLVING INCONSISTENCIES BETWEEN G.S. 8-83 AND G.S. 1A-1, RULE 32 REGARDING THE ADMISSION OF DEPOSITIONS AT TRIAL AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative Kennedy, consideration of the bill is postponed until May 13.

H.B. 728, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A COLLECTIBLE LIEN FOR SERVICES RENDERED BY PRIVATE RESCUE SQUADS THAT ARE SUBSTANTIALLY SUPPORTED BY MUNICIPALITIES, passes its second reading, by electronic vote (92-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 787, A BILL TO BE ENTITLED AN ACT TO ALLOW AN ADDITIONAL FOUR YEARS FOR THE ACCUMULATION OF MONEY IN THE NORTH CAROLINA CANDIDATES FINANCING FUND AND TO LIMIT THE APPLICATION OF THAT FUND TO THE RACE FOR GOVERNOR, BEGINNING IN 1996, passes its second reading, by electronic vote (84-14), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 644, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMMISSION TO DESIGNATE A STATE TO HOST THE THIRD REGIONAL DISPOSAL FACILITY AS A CONDITION TO THE DESIGNATION OF A PREFERRED SITE FOR A LOW-LEVEL RADIOACTIVE WASTE DISPOSAL FACILITY IN THIS STATE.

On motion of Representative Dawkins, consideration of the bill is postponed until May 10.

H.B. 851, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TO THE EXTENT A COUNTY PROVIDES LIABILITY INSURANCE TO COUNTY OFFICERS OR EMPLOYEES IT SHALL PROVIDE LIABILITY INSURANCE TO THE REGISTER OF DEEDS.

On motion of Representative Redwine, consideration of the bill is postponed until May 13.

H.B. 463, A BILL TO BE ENTITLED AN ACT TO ADD ADDITIONAL ANABOLIC STEROIDS TO THE LIST OF CONTROLLED

SUBSTANCES AND TO MAKE OTHER CHANGES TO CONFORM STATE LAW WITH THE FEDERAL LAW REGARDING THE CONTROL OF ANABOLIC STEROIDS, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 964**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT, WHEN MUNICIPALITIES USE THE NONPARTISAN-PRIMARY-AND-ELECTION METHOD, NO VOTER MAY CAST MORE VOTES THAN THERE ARE POSITIONS TO BE FILLED, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 1073**, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES IN BALLOT INSTRUCTIONS AND BALLOT FORMAT, passes its second reading by electronic vote (80-16).

Representative Kimsey objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 18**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL BOARDS OF HEALTH TO ADOPT BY REFERENCE RULES OF THE ENVIRONMENTAL MANAGEMENT COMMISSION CONCERNING WELLS OR TO ADOPT MORE STRINGENT RULES, passes its second reading, by electronic vote (96-2), and there being no objection is read a third time.

Representative Mavretic offers Amendment No. 1 which is adopted by electronic vote (93-0).

The bill, as amended, passes its third reading, by electronic vote (95-3), and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 843**, A BILL TO BE ENTITLED AN ACT TO AMEND THE SAFE ROADS ACT.

On motion of Representative Wicker, consideration of the bill is postponed until May 9.

Committee Substitute for **H.B. 1046**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE UTILITIES COMMISSION TO OVERSEE A STUDY OF THE FEASIBILITY OF LIMITING DURATION OF COIN-OPERATED AND COINLESS PUBLIC TELEPHONE CALLS.

Representative Bowen offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (50-47).

Representative Howard objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 541**, A BILL TO BE ENTITLED AN ACT TO REQUIRE DISCLOSURE AND RECORDATION OF ENVIRONMENTAL LIMITATIONS AND LIABILITIES, passes its second reading by electronic vote (98-8).

Representatives Redwine objects to the third reading. The bill remains on the Calendar.

REPRESENTATIVE COLTON, SPEAKER PRO TEMPORE, PRESIDING.

Committee Substitute for **H.B. 645**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ONE OF THE MEMBERS OF THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMMISSION FROM NORTH CAROLINA RESIDE IN A COUNTY IN WHICH THE REGIONAL DISPOSAL FACILITY IS SITED AND TO REQUIRE THAT THE PARTY STATES OF THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT CONSENT TO, AND CONGRESS AMEND, THE COMPACT AGREEMENT SO AS TO DECREASE THE QUANTITY OF LOW-LEVEL RADIOACTIVE WASTE THAT MUST BE DISPOSED OF BY A COMPACT STATE.

Representative Dawkins offers Amendment No. 1 which is adopted by electronic vote (88-15).

SPEAKER BLUE PRESIDING.

Representative Hightower calls the previous question on the passage of the bill and the call is sustained.

The bill fails to pass its second reading by electronic vote (43-64).

H.B. 92, A BILL TO BE ENTITLED AN ACT TO REQUIRE SCHOOL PRINCIPALS TO LIMIT THE AMOUNT OF TIME A SCHOOL COUNSELOR IS ASSIGNED TO NONCOUNSELING DUTIES.

On motion of Representative Rogers, the bill is withdrawn from the Calendar and re-referred to the Committee on Education.

Representative Jack Hunt moves, seconded by Representative Gottovi, subject to the reading of notices and announcements, that the House do now adjourn. This motion carries by electronic vote (104-2).

The House adjourns at 7:34 p.m. to reconvene May 9 at 1:00 p.m.

SIXTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Thursday, May 9, 1991

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Hackney, for the Committee on Rules, Appointments and Calendar reports the Journal of May 8 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (71-0).

Leaves of absence are granted Representatives Howard, Lineberry, Smith, and Warner for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lutz for the Committee on Local and Regional Government II:

H.B. 733, A BILL TO BE ENTITLED AN ACT CONCERNING DISPOSITION OF PROPERTY FOR LOCAL DEVELOPMENT IN CABARRUS COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

H.B. 795, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PERMITTING ELECTROFISHING FOR CATFISH IN PORTIONS OF SAMPSON, PENDER, AND BLADEN COUNTIES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

H.B. 801, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATUTORY AUTHORITY OF STANLY COUNTY TO REGULATE THE SUBDIVISION OF LAND, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

By Representatives Diamont and Nesbitt for the Committee on Appropriations:

H.B. 307, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING SCHOLARSHIPS FOR CHILDREN OF WAR VETERANS TO INCLUDE CHILDREN OF PERSIAN GULF VETERANS AND TO MAKE TECHNICAL CHANGES, with a favorable report.

H.B. 386, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS RELATING TO AERONAUTICS, with a favorable report.

H.B. 996, A BILL TO BE ENTITLED AN ACT TO COORDINATE THE EFFECTIVE DATE OF CHANGED STATE MEDICAID

REIMBURSEMENT AMOUNTS WITH THE DATE FOR WHICH THE CHANGE IS APPROVED BY FEDERAL ADMINISTRATION, with a favorable report.

By Representative Ramsey for the Committee for Public Employees:

H.B. 942, A BILL TO BE ENTITLED AN ACT TO PROVIDE PRIORITY CONSIDERATION TO STATE EMPLOYEES WHO RECEIVE REDUCTION IN FORCE NOTIFICATION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

By Representative Dawkins for the Committee on Judiciary II:

H.B. 540, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NEWBORNS WHO WERE EXPOSED TO ILLICIT DRUG OR ALCOHOL PRIOR TO BIRTH ARE NEGLECTED UNDER G.S. 7A-517, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of Representative Dawkins, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Appropriations.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Hightower for the Permanent Subcommittee on Hazardous Waste of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 412, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "COMMERCIAL" AS APPLIED TO HAZARDOUS WASTE FACILITIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

By Representative Beard for the Permanent Subcommittee on Insurance of the Standing Committee on Commerce, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 826, A BILL TO BE ENTITLED AN ACT TO INCREASE THE REQUIRED MINIMUM FINANCIAL RESPONSIBILITY FOR PROPERTY DAMAGE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

H.B. 897, A BILL TO BE ENTITLED AN ACT TO PROHIBIT INSURANCE COMPANIES FROM REQUIRING SPECIFIC REPAIR COMPANIES BE USED BY CLAIMANTS AS A CONDITION FOR PAYING A CLAIM, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

H.B. 918, A BILL TO BE ENTITLED AN ACT THAT CLARIFIES THAT SECRETARIES AND OTHER CLERICAL ASSISTANTS DO NOT HAVE TO BE LICENSED AS INSURANCE AGENTS TO SELL INSURANCE UNDER THE SUPERVISION OF RESIDENT LICENSED INSURANCE AGENTS AND BROKERS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEES REFERRALS

Representative Hasty, Chairman for the Standing Committee on Economic Expansion, refers:

S.B. 703, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE TRAVEL AND TOURISM POLICY OF NORTH CAROLINA, to the Permanent Subcommittee on Travel, Tourism and Economic Development.

Representative DeVane, Chairman for the Standing Committee on Environment, refers:

H.B. 960, A BILL TO BE ENTITLED AN ACT TO PHASE IN THE USE OF REUSABLE HAND TOWELS IN STATE OFFICES THROUGHOUT THE STATE BY JANUARY 1, 1994, to the Permanent Subcommittee on Solid Waste.

H.B. 1007, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE RECYCLING AND DISCOURAGE LITTERING BY REQUIRING A DEPOSIT ON GLASS AND PLASTIC BEVERAGE CONTAINERS AND REQUIRING DEALERS AND REDEMPTION CENTERS TO ACCEPT RETURNED GLASS AND PLASTIC CONTAINERS AND REFUND THE DEPOSITS, to the Permanent Subcommittee on Water, Air and Soil.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Jack Hunt, Albertson, Anderson, Bowman, Church, Diamont, Ethridge, Fletcher, Fussell, Gamble, Hasty, Holt, Judy Hunt, R. Hunter, Hurley, James, Lilley, Lutz, Miller, Nesbitt, Nye, Ramsey, Redwine, Rogers, Stamey, and Thompson:

H.B. 1182, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ENABLE THE JOINT LEGISLATIVE

COMMISSION ON GOVERNMENTAL OPERATIONS TO CARRY OUT PERIODIC PROGRAM EVALUATION STUDIES OF STATE AGENCIES, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Wainwright, Albertson, Anderson, Barnhill, Beard, Bowen, Bowman, Chapin, Church, J. W. Crawford, Cunningham, DeVane, Dial, Ethridge, Fitch, Gist, Gottovi, Green, Hardaway, Hasty, Hensley, Sam Hunt, H. Hunter, Hurley, James, Jeralds, Jones, Jordan, Kahl, Kennedy, Lilley, Luebke, McAllister, McGee, McLawhorn, Mercer, Michaux, Nesbitt, Nye, Oldham, Payne, Redwine, Rogers, Smith, Stewart, Thompson, Warner, Wicker, and Woodard:

H.B. 1183, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EASTERN REGIONAL CRISIS STABILIZATION FACILITY FOR DUALY DIAGNOSED PERSONS, is referred to the Committee on Appropriations.

By Representatives Diamont, Anderson, Barnes, Barnhill, Beall, Beard, Bowman, Brubaker, Church, Colton, J. W. Crawford, N. J. Crawford, DeVane, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Gottovi, Gray, Green, Hardaway, Judy Hunt, H. Hunter, R. Hunter, Jeralds, Jones, Jordan, Lewis, Luebke, Lutz, McAllister, McLaughlin, Mercer, Michaux, Miller, Nesbitt, Payne, Redwine, Rhyne, Rogers, Smith, Stamey, Thompson, Wainwright, Wicker, and Wilmoth:

H.B. 1184, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO VARIOUS STATE AND NON-STATE ENTITIES TO ADDRESS THE INFANT MORTALITY PROBLEM, is referred to the Committee on Appropriations.

By Representatives DeVane, Bowman, Jones, and Lilley:

H.B. 1185, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE COMMISSIONER OF MOTOR VEHICLES TO FACTOR IN HIGH OR LOW MILEAGE IN DETERMINING MOTOR VEHICLE VALUES FOR TAX PURPOSES, is referred to the Committee on Transportation.

By Representatives Rogers, Albertson, Barnes, Black, Bowman, Chapin, Ethridge, Fussell, Judy Hunt, Stamey, Thompson, Warner, Wilmoth:

H.B. 1186, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A LEGISLATIVE STUDY COMMISSION TO CONSIDER INCREASING THE LENGTH OF THE SCHOOL YEAR AND CHANGING THE COMPULSORY SCHOOL ATTENDANCE AGES, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Greenwood, Bowman, Colton, N. J. Crawford, Easterling, Justus, Kennedy, Nesbitt, Nye, Ramsey:

H.B. 1187, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE THE SUBSIDY PAYMENTS FOR

ADULT DEVELOPMENTAL ACTIVITIES PROGRAMS (ADAP), is referred to the Committee on Appropriations.

By Representative Hackney:

H.B. 1188, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ADMINISTRATION AND IMPLEMENTATION OF REMEDIAL ACTION PROGRAMS FOR INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITES, is referred to the Committee on Appropriations.

By Representative Woodard:

H.B. 1189, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOBACCO FARM LIFE MUSEUM, INC., FOR OPERATING EXPENSES, is referred to the Committee on Appropriations.

By Representative Judy Hunt:

H.J.R. 1190, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, is referred to the Committee on Public Utilities.

By Representatives Nye and Bowen:

H.B. 1191, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SAMPSON COMMUNITY COLLEGE, is referred to the Committee on Appropriations.

By Representatives Nye and Bowen:

H.B. 1192, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR BLADEN COMMUNITY COLLEGE SMALL BUSINESS CENTER, is referred to the Committee on Appropriations.

By Representative Nye:

H.B. 1193, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE DEPARTMENT OF HUMAN RESOURCES CONDUCT A STUDY TO DETERMINE THE COST OF A PHARMACY DISPENSING FEE, is referred to the Committee on Appropriations.

By Representatives Nye and Easterling:

H.B. 1194, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A MATERNITY HOME PROGRAM SERVING EASTERN NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representative McGee:

H.B. 1195, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT STATE AND LOCAL SALES TAXES APPLY TO CABLE AND SCRAMBLED SATELLITE TELEVISION, is referred to the Committee on Finance.

By Representative McGee:

H.B. 1196, A BILL TO BE ENTITLED AN ACT TO AMEND THE SOFT DRINK TAX TO PROVIDE THAT ONLY ONE HUNDRED PERCENT MILK IS EXEMPT FROM TAX, is referred to the Committee on Finance.

By Representatives Wainwright, Anderson, Bowman, Ethridge, Lilley, and Smith:

H.B. 1197, A BILL TO BE ENTITLED AN ACT TO DIVIDE DISTRICT COURT DISTRICT 3 INTO DISTRICTS 3A AND 3B CONSISTENT WITH THE BOUNDARIES ESTABLISHED FOR SUPERIOR COURT AND PROSECUTORIAL DISTRICTS 3A AND 3B, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Buchanan, Flaherty, and Robinson:

H.B. 1198, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENT OF THE AVERY COUNTY RECREATION AND COMMUNITY CENTER AND FOR CAPITAL IMPROVEMENT OF THE AVERY COUNTY DISABLED AMERICAN VETERANS' HEADQUARTERS BUILDING, is referred to the Committee on Appropriations.

By Representatives Buchanan, Flaherty, and Robinson:

H.B. 1199, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MITCHELL COUNTY SENIOR CITIZENS CENTER, is referred to the Committee on Appropriations.

By Representative Gray:

H.B. 1200, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR FACULTY FOR THE PIEDMONT TRIAD GRADUATE ENGINEERING PROGRAM FUNDED THROUGH THE PIEDMONT TRIAD RESEARCH INSTITUTE, is referred to the Committee on Appropriations.

By Representative Gray:

H.B. 1201, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PROGRAMS, EQUIPMENT, STUDENT FINANCIAL ASSISTANCE, AND FACULTY FOR THE PIEDMONT TRIAD GRADUATE ENGINEERING PROGRAM FUNDED THROUGH THE PIEDMONT RESEARCH INSTITUTE, is referred to the Committee on Appropriations.

By Representative Gamble:

H.B. 1202, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DEBTS THAT REMAIN UNPAID ONE HUNDRED TWENTY DAYS AFTER THEY ARE DUE ARE TAXABLE AS INCOME TO THE DEBTOR, is referred to the Committee on Finance.

By Representatives Thompson and Rhyne:

H.B. 1203, A BILL TO BE ENTITLED AN ACT TO: (1) DESIGNATE THE DEPARTMENT OF ECONOMIC AND COMMUNITY

DEVELOPMENT AS THE LEAD AGENCY TO IMPLEMENT THE RECOMMENDATIONS CONTAINED IN ITS REPORT TO THE 1991 GENERAL ASSEMBLY REGARDING A PLAN FOR THE MARKETING OF RECYCLABLE MATERIALS IN NORTH CAROLINA, AND (2) APPROPRIATE FUNDS FOR THE COST OF IMPLEMENTING THESE RECOMMENDATIONS, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 295, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE MUSEUM OF NATURAL SCIENCES AND THE MARITIME MUSEUM TO SELL OR EXCHANGE OBJECTS, is read the first time and referred to the Committee on Appropriations.

S.B. 315, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ROLE OF PHYSICIANS IN PROMOTING HIGHWAY SAFETY, is read the first time and referred to the Committee on Judiciary II.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

May 8, 1991

Mr. Speaker:

Pursuant to your message received May 8 that the House of Representatives fails to concur in Senate Amendments No. 1, 2 and 3, to H.B. 8, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE HIGHWAY TRUST FUND AND TO MAKE TECHNICAL CHANGES TO THE LAWS AFFECTED BY THE HIGHWAY TRUST FUND, and requests conferees, the President Pro Tempore appoints: Senator Goldston, Chairman; Senators Smith, Daniel, and Cooper on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 358, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO IMPOSE A MONETARY PENALTY FOR VIOLATION OF RULES GOVERNING NUTRITION STANDARDS, is read the first time and referred to the Committee on Human Resources.

Committee Substitute No. 3 for **S.B. 426**, A BILL TO BE ENTITLED AN ACT TO REVISE AND RECODIFY AS CHAPTER 10A THE STATUTES RELATING TO NOTARIES, is read the first time and referred to the Committee on Judiciary III.

Committee Substitute for **S.B. 511**, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING AND THE USE OF FIREARMS IN WAKE COUNTY, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 578, A BILL TO BE ENTITLED AN ACT TO ALLOW PENDER COUNTY TO ACQUIRE PROPERTY FOR USE BY THE PENDER COUNTY BOARD OF EDUCATION, is read the first time and referred to the Committee on Local and Regional Government I.

Committee Substitute for **S.B. 597**, A BILL TO BE ENTITLED AN ACT TO PROVIDE ATTORNEYS' FEES TO PREVAILING PARTIES IN ACTIONS RELATING TO STATUTORY LIENS ON REAL PROPERTY AND PAYMENT AND PERFORMANCE BONDS, is read the first time and referred to the Committee on Judiciary I.

S.B. 615, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON WITH RESPECT TO THE ENFORCEMENT OF BUILDING AND HOUSING ORDINANCES, AND TO AMEND THE CHARTER OF THE TOWN OF WINTON TO IDENTIFY VOLUNTEER FIRE AND RESCUE SERVICES, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 624, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICABILITY OF THE WINERY SPECIAL SHOW PERMIT TO BE RENAMED THE WINERY SPECIAL EVENT PERMIT, is read the first time and referred to the Committee on Judiciary I.

S.B. 655, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RESPECTIVE RESPONSIBILITIES OF THE COUNTIES AND OF THE STATE FOR THE EXPENSES INCURRED IN JURY SELECTION, is read the first time and referred to the Committee on Judiciary II.

S.B. 656, A BILL TO BE ENTITLED AN ACT TO REQUIRE AUDITED FINANCIAL STATEMENTS FROM APPLICANTS FOR NEW MOTOR CLUB LICENSES AND TO ALLOW THE COMMISSIONER OF INSURANCE TO REQUIRE AUDITED FINANCIAL STATEMENTS WITH RENEWAL APPLICATIONS, is read the first time and referred to the Committee on Commerce.

S.B. 706, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ENFORCEMENT OF CERTAIN NORTH CAROLINA LAWS REGARDING CORPORATE ACQUISITIONS, is read the first time and referred to the Committee on Judiciary I.

S.B. 724, A BILL TO BE ENTITLED AN ACT AMENDING THE UNEMPLOYMENT INSURANCE LAW TO ADD THE DEFINITION OF "EXTENDED BASE PERIOD", is read the first time and referred to the Committee on Economic Expansion.

S.B. 769, A BILL TO BE ENTITLED AN ACT TO ASSURE THAT THE NORTH CAROLINA WORKERS' COMPENSATION ACT EXTENDS TO INJURIES OUTSIDE THE STATE FOR EMPLOYEES WHOSE PRINCIPAL PLACE OF EMPLOYMENT IS IN NORTH

CAROLINA, is read the first time and referred to the Committee on Economic Expansion.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 149, AN ACT TO INCLUDE HORTICULTURE, TREES AND TIMBER, THE RAISING OF LIVESTOCK AND POULTRY, AND AQUACULTURE IN THE DEFINITION OF THE TERMS "AGRICULTURE" AND "AGRICULTURAL" AS THEY ARE USED IN THE AGRICULTURAL DEVELOPMENT ACT. (CHAPTER 81)

CALENDAR

Action is taken on the following:

H.B. 642, A BILL TO BE ENTITLED AN ACT TO INCORPORATE CHIMNEY ROCK VILLAGE IN RUTHERFORD COUNTY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnhill, Beall, Beard, Black, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gottovi, Grady, Gray, Green, Greenwood, Hackney, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Huffman, H. Hunter, Isenhower, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kimsey, Lewis, Ligon, Lilley, Loflin, Luebke, Lutz, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Morgan, Oldham, Pope, Redwine, Rhodes, Rhyne, Rogers, Russell, Stewart, Tallent, Wainwright, Wilmoth Withrow, Wood, and Woodard - 83.

Voting in the negative: None.

Excused absences: Representatives Lineberry, Smith, and Warner - 3.

H.B. 756, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE CITY OF DUNN, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnhill, Beall, Beard, Black, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gottovi, Grady, Gray, Green, Greenwood, Hackney, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Huffman, H. Hunter, Isenhower, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kimsey, Lewis, Ligon, Lilley, Loflin, Luebke, Lutz, McGee, McLaughlin, McLawhorn, Mercer,

Michaux, Morgan, Oldham, Pope, Redwine, Rhodes, Rhyne, Rogers, Russell, Stewart, Tallent, Wainwright, Wilmoth Withrow, Wood, and Woodard - 83.

Voting in the negative: None.

Excused absences: Representatives Lineberry, Smith, and Warner - 3.

Committee Substitute for **H.B. 800**, A BILL TO BE ENTITLED AN ACT TO REVISE THE CORPORATE LIMITS OF THE TOWN OF NORWOOD, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnhill, Beall, Beard, Black, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Cunningham, Dawkins, Decker, DeVane, Dial, Diamond, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gottovi, Grady, Gray, Green, Greenwood, Hackney, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Huffman, H. Hunter, Isenhower, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kimsey, Lewis, Ligon, Lilley, Loflin, Luebke, Lutz, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Morgan, Oldham, Pope, Redwine, Rhodes, Rhyne, Rogers, Russell, Stewart, Tallent, Wainwright, Wilmoth, Withrow, Wood, and Woodard - 83.

Voting in the negative: None.

Excused absences: Representatives Lineberry, Smith, and Warner - 3.

Committee Substitute for **H.B. 674**, A BILL TO BE ENTITLED AN ACT TO MERGE THE TOWNS OF JONESVILLE AND ARLINGTON IN YADKIN COUNTY, SUBJECT TO A REFERENDUM, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barnhill, Beall, Beard, Black, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamond, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Sam Hunt, H. Hunter, R. Hunter, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Lewis, Ligon, Lilley, Loflin, Luebke, Lutz, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Morgan, Oldham, Pope, Redwine, Rhodes, Rhyne, Robinson, Russell, Stewart, Tallent, Wainwright, Wilmoth, Withrow, Wood, and Woodard - 88.

Voting the negative: None.

Excused absences: Representatives Lineberry, Smith, and Warner - 3.

H.B. 735, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BUNCOMBE COUNTY TO ADOPT "PREDEVELOPMENT ORDINANCES", passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 763, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE CITY OF DURHAM CHARTER, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 764, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY AND COUNTY OF DURHAM TO ALLOW ZONING DENSITY BONUSES IN PROJECTS CONTAINING SPECIFIED AMOUNTS OF LOW AND MODERATE INCOME HOUSING, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 641, A BILL TO BE ENTITLED AN ACT TO EXEMPT UNION COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE CONSTRUCTION OF A COUNTY DETENTION FACILITY.

On motion of Representative Loflin, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 810, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STUDY OF ANNEXATION AND FUTURE MUNICIPAL GROWTH AMONG THE MUNICIPALITIES LOCATED IN MOORE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 816, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE IN DAVIDSON COUNTY FOR SECOND DEGREE TRESPASS AND TO CREATE A NEW OFFENSE OF THIRD DEGREE TRESPASS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 600, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE LOCAL SUPPLEMENTAL RETIREMENT BENEFIT FUND FOR FIREFIGHTERS IN THE TOWN OF CARY, IN WAKE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 807, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE CONOVER FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 809, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE SEVEN LAKES COMMUNITY IN MOORE COUNTY.

Representatives Hasty and Wicker request that they be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Beard, Black, Bowen, Bowman, Brawley, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Dawkins, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Gamble, Gardner, Grady, Gray, Grimmer, Hackney, Hege, Hightower, Howard, Huffman, Sam Hunt, Isenhower, Jarrell, Jones, Justus, Kimsey, Lewis, Ligon, Lilley, Loflin, McAllister, McGee, McLaughlin, Mavretic, Mercer, Morgan, Nye, Pope, Redwine, Rhodes, Rhyne, Russell, Stewart, Tallent, Thompson, Wood, and Woodard - 66.

Voting in the negative: Representatives Barnhill, Beall, Cunningham, Decker, Diamont, Fitch, Gist, Gottovi, Green, Hardaway, Hensley, Holt, Jack Hunt, H. Hunter, R. Hunter, James, Jeffus, Jeralds, Jordan, Kahl, Kennedy, Luebke, Lutz, McLawhorn, Michaux, Oldham, Ramsey, Rogers, Wilmoth, and Withrow - 30.

Excused absences: Representatives Lineberry, Smith, and Warner - 3.

Excused votes: Representatives Hasty and Wicker - 2.

Committee Substitute for **H.B. 80, A BILL TO BE ENTITLED AN ACT AUTHORIZING REGIONAL TRANSPORTATION AUTHORITIES TO LEVY A TAX ON GROSS RECEIPTS DERIVED FROM THE SHORT-TERM LEASE OR RENTAL OF PASSENGER MOTOR VEHICLES.**

Representative Mavretic offers Amendment No. 2.

Representative Hackney moves, seconded by Representative Grimmer, that Amendment No. 2 do lie upon the table.

Representative Mavretic moves that the motion to table Amendment No. 2 be postponed indefinitely.

The Speaker rules that the motion to postpone indefinitely the motion by Representative Hackney that Amendment No. 2 do lie upon the table is out of order.

The motion by Representative Hackney, seconded by Representative Grimmer, that Amendment No. 2 do lie upon the table fails by electronic vote (49-52).

The Speaker rules Amendment No. 2 is not in order.

Representative Mavretic withdraws Amendment No. 2.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Anderson, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Cunningham, Dawkins, Dial, Diamont, Dickson, Easterling, Ethridge, Fitch, Flaherty, Fletcher, Foster, Gamble, Gardner, Gist, Gottovi, Green, Greenwood, Grimmer, Hackney, Hardaway, Hightower, Huffman, Sam Hunt, R. Hunter, Isenhower, James, Jarrell, Jeffus, Jordan, Kahl, Kennedy, Lewis, Ligon, Lilley, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Michaux, Miller, Morgan, Nesbitt, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Stamey, Stewart, Tallent, Thompson, Wainwright, Wilmoth, Wilson, Withrow, and Woodard - 80.

Voting in the negative: Representatives Balmer, Brubaker, Creech, Culp, Decker, Dockham, Grady, Hasty, Hege, Holmes, Howard, Jack Hunt, Justus, Kimsey, Mercer, Russell, and Wood - 17.

Excused absences: Representatives Lineberry, Smith, and Warner - 3.

H.B. 483, A BILL TO BE ENTITLED AN ACT TO MAKE IMPROVEMENTS IN THE FINANCIAL REGULATION OF CONTINUING CARE FACILITIES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Anderson, Balmer, Barbee, Barnes, Barnhill, Beard, Black, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, R. Hunter, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Loflin, Luebke, McAllister, McGee, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Stamey, Stewart, Tallent,

Wainwright, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 98.

Voting in the negative: None.

Excused absences: Representatives Lineberry, Smith, and Warner - 3.

Committee Substitute No. 2 for **H.B. 54**, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE STATUTES RELATING TO CREDIT UNIONS AND TO INCREASE THE PENALTY FOR SUBMITTING LATE REPORTS TO THE ADMINISTRATOR OF CREDIT UNIONS, passes its second reading, by the following vote, and remains on the Calendar:

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Hardaway, Hege, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, R. Hunter, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Loflin, Luebke, Lutz, McAllister, McGee, McLawhorn, Michaux, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Stamey, Stewart, Tallent, Wainwright, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 98.

Voting in the negative: None.

Excused absences: Representatives Lineberry, Smith, and Warner - 3.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Church for the Permanent Subcommittee on Highways:

H.B. 710, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PERMANENT RECORDING OF TITLES ISSUED MANUFACTURED HOMES AND MOBILE HOMES, reported to the Standing Committee on Transportation, with an unfavorable recommendation.

By Representative Jones for the Permanent Subcommittee on Children, Youth and Families of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 440, A BILL TO BE ENTITLED AN ACT TO ALLOW REPRESENTATIVES DESIGNATED BY THE COUNTY DIRECTOR OF

SOCIAL SERVICES TO ACT ON BEHALF OF THE COUNTY DIRECTOR OF SOCIAL SERVICES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative R. Hunter for the Committee on Judiciary III:

H.B. 708, A BILL TO BE ENTITLED AN ACT TO AMEND THE DATE OF PERFECTION FOR MOTOR VEHICLE LIENS, with a favorable report, as amended.

H.B. 895, A BILL TO BE ENTITLED AN ACT TO ESTABLISH RETAIL PRICE TO BE PAID FOR WARRANTY WORK PERFORMED BY MOTOR VEHICLE DEALERS, with a favorable report.

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

H.B. 131, A BILL TO BE ENTITLED AN ACT REQUIRING THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO REPORT ON ITS PROGRESS IN ADOPTING STANDARDS TO CREATE AND ENHANCE AN ORGANIZED PROGRAM OF PUBLIC SERVICE AND TECHNICAL ASSISTANCE TO THE PUBLIC SCHOOLS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Jones for the Permanent Subcommittee on Children, Youth and Families of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 951, A BILL TO BE ENTITLED AN ACT TO REQUIRE A LANDLORD TO NOTIFY THE COUNTY DEPARTMENT OF SOCIAL SERVICES BEFORE FILING AN ACTION FOR SUMMARY EJECTMENT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Stamey for the Committee on Transportation:

H.B. 281, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ACQUIRE PROPERTY FOR NEW RAILROAD CORRIDORS AND TO ENTER INSTALLMENT CONTRACTS FOR THE PURCHASE OF RAILROAD CORRIDORS AND OTHER RAIL PROPERTY, with a favorable report.

H.B. 516, A BILL TO BE ENTITLED AN ACT REQUIRING TRAFFIC SIGNS AND OTHER TRAFFIC CONTROL DEVICES ON ALL HIGHWAYS AND PUBLIC VEHICULAR AREAS TO CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, with a favorable report.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Jarrell for the Permanent Subcommittee on Airports, Railways and Waterways of the Standing Committee on Transportation, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 601, A BILL TO BE ENTITLED AN ACT TO REGULATE THE LEASING OF RAILROAD CORRIDORS BY THE DEPARTMENT OF TRANSPORTATION FOR INTERIM PURPOSES UNDER CERTAIN CIRCUMSTANCES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representative Barnes, Chairman for the Standing Committee on Education, refers:

H.B. 92, A BILL TO BE ENTITLED AN ACT TO REQUIRE SCHOOL PRINCIPALS TO LIMIT THE AMOUNT OF TIME A SCHOOL COUNSELOR IS ASSIGNED TO NONCOUNSELING DUTIES, to the Permanent Subcommittee on Preschool, Elementary and Secondary Education.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Barnes for the Committee on Education:

H.B. 495, A BILL TO BE ENTITLED AN ACT REGARDING THE DEVELOPMENT OF DUAL PERSONNEL EVALUATION PROCESSES FOR THE PUBLIC SCHOOLS, with a favorable report.

By Representative Colton for the Committee on Ethics:

Committee Substitute for **H.B. 89**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REGISTRATION, IDENTIFICATION, AND REPORTING REQUIREMENTS FOR LOBBYISTS AND THEIR PRINCIPALS; TO PROHIBIT CAMPAIGN FUND-RAISING FROM LOBBYISTS FOR LEGISLATORS AND COUNCIL OF STATE MEMBERS WHILE THE GENERAL ASSEMBLY IS IN REGULAR SESSION; AND TO REQUIRE A ONE-YEAR WAIT AFTER THEY LEAVE OFFICE BEFORE LOBBYING MAY BE DONE BY FORMER MEMBERS AND PRESIDING OFFICERS OF THE GENERAL ASSEMBLY, FORMER COUNCIL OF STATE MEMBERS, AND FORMER CABINET SECRETARIES, with a favorable report, as amended.

By Representative Kennedy for the Committee on Judiciary I:

H.B. 436, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALL STATE CERTIFIED LAW ENFORCEMENT OFFICERS TO ARREST FOR DRUG OFFENSES, with a favorable report.

SUBCOMMITTEE REFERRALS

Representative James, Chairman for the Standing Committee on Agriculture, refers:

S.B. 508, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FEE FOR FEED TESTING, to the Permanent Subcommittee on Crops and Animal Husbandry.

S.B. 654, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT RULES FOR THE STORAGE OF FERTILIZER MATERIALS, to the Permanent Subcommittee on Crops and Animal Husbandry.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Gamble for the Permanent Subcommittee on Local and Regional Government Revenue:

H.B. 86, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTY OF CURRITUCK TO COLLECT A SOLID WASTE FEE THAT IS BILLED AND PAID IN THE SAME MANNER AS AD VALOREM TAXES AND THAT MAY RESULT IN THE IMPOSITION OF A LIEN, reported to the Standing Committee on Finance, with a favorable recommendation as to proposed committee substitute bill, and changes bill to a public bill, unfavorable as to original bill.

H.B. 223, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WASHINGTON COUNTY TO USE ALL THE REMEDIES THAT ARE AVAILABLE FOR THE COLLECTION OF DELINQUENT AD VALOREM TAXES AS REMEDIES FOR THE COLLECTION OF SOLID WASTE FEES, reported to the Standing Committee on Finance, with an unfavorable recommendation.

H.B. 458, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CUMBERLAND COUNTY TO COLLECT SOLID WASTE FEES IN THE SAME MANNER AS AD VALOREM TAXES, reported to the Standing Committee on Finance, with an unfavorable recommendation.

H.B. 593, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HOLLY RIDGE TO COLLECT A FEE FOR SOLID WASTE COLLECTION AND DISPOSAL SYSTEMS AND FACILITIES IN THE SAME MANNER AS AD VALOREM TAXES, reported to the Standing Committee on Finance, with an unfavorable recommendation.

H.B. 625, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE IREDELL COUNTY TO COLLECT CERTAIN FEES IN THE SAME MANNER AS AD VALOREM TAXES, reported to the Standing Committee on Finance, with an unfavorable recommendation.

H.B. 626, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PITT COUNTY TO COLLECT SOLID WASTE FEES IN THE SAME MANNER AS AD VALOREM TAXES, reported to the Standing Committee on Finance, with an unfavorable recommendation.

H.B. 648, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COLUMBUS COUNTY TO COLLECT SOLID WASTE FEES IN THE SAME MANNER AS AD VALOREM TAXES AND, IN THE CASE OF NONPAYMENT, TO IMPOSE A LIEN ON REAL PROPERTY AND TO USE ALL THE REMEDIES THAT MAY BE USED FOR THE COLLECTION OF DELINQUENT AD VALOREM TAXES, reported to the Standing Committee on Finance, with an unfavorable recommendation.

H.B. 759, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HARNETT COUNTY TO COLLECT SOLID WASTE FEES IN THE SAME MANNER AS AD VALOREM TAXES AND, IN THE CASE OF NONPAYMENT, TO IMPOSE A LIEN ON REAL PROPERTY AND TO USE ALL THE REMEDIES THAT MAY BE USED FOR THE COLLECTION OF DELINQUENT AD VALOREM TAXES, reported to the Standing Committee on Finance, with an unfavorable recommendation.

H.B. 799, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SAMPSON COUNTY TO COLLECT CERTAIN FEES IN THE SAME MANNER AS AD VALOREM TAXES, reported to the Standing Committee on Finance, with an unfavorable recommendation.

By Representative Fletcher for the Permanent Subcommittee on Financial Institutions:

H.B. 53, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ASSUMPTION FEES IN CONNECTION WITH CERTAIN REAL ESTATE LOANS, reported to the Standing Committee on Commerce, with an unfavorable recommendation.

H.B. 155, A BILL TO BE ENTITLED AN ACT TO MODIFY FINANCE CHARGE RATES FOR REVOLVING CHARGE ACCOUNT

CONTRACTS, reported to the Standing Committee on Commerce, with an unfavorable recommendation.

H.B. 242, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CREDIT CARD BANKS, TO AMEND THE RATE OF INTEREST AND FEES APPLICABLE TO CREDIT CARD ACCOUNTS, OPEN-END CREDIT, AND REVOLVING CHARGE ACCOUNTS, reported to the Standing Committee on Commerce, with an unfavorable recommendation.

H.B. 869, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN LOAN AND APPRAISAL FEES AND TO AMEND THE USURY LAWS APPLICABLE TO COMMERCIAL LOANS, reported to the Standing Committee on Commerce, with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

SUBCOMMITTEE REFERRALS

Representatives Diamont and Nesbitt, Chairmen for the Standing Committee on Appropriations, refer:

H.B. 169, A BILL TO BE ENTITLED AN ACT TO FORGIVE REPAYMENT OF A LOAN MADE FROM THE LITERARY FUND TO PASQUOTANK COUNTY, to the Permanent Subcommittee on Education.

H.B. 221, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO LOAN HARNETT COUNTY FUNDS FROM THE STATE LITERARY FUND, to the Permanent Subcommittee on Education.

RE-REFERRAL

On motion of Representative Stamey, **H.B. 376, A BILL TO BE ENTITLED AN ACT REGARDING MOTOR VEHICLE INSPECTION REQUIREMENTS AND INSPECTION FEES,** is withdrawn from the Permanent Subcommittee on Public Transportation of the Standing Committee on Transportation and re-referred to the Permanent Subcommittee on Highways of the Standing Committee on Transportation.

CALENDAR (continued)

Committee Substitute for **H.B. 485, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A NORTH CAROLINA INTERPRETER CLASSIFICATION SYSTEM APPLICATION AND ASSESSMENT FEE,** passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Dawkins, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Gamble, Gardner, Gist, Gottovi, Green,

Greenwood, Hackney, Hasty, Hege, Hightower, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, Isenhower, James, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Loflin, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Russell, Stewart, Tallent, Wainwright, Wilmoth, Wilson, Withrow, Wood, and Woodard - 89.

Voting in the negative: None.

Excused absences: Representatives Lineberry, Smith, and Warner - 3.

Committee Substitute for **H.B. 989**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SEPARATE ABC PERMIT FOR HOTELS CHOOSING TO OFFER ALCOHOLIC BEVERAGE SALES FROM LOCKED CABINETS IN GUEST ROOMS.

The bill fails to pass its second reading, by the following vote.

Those voting in the affirmative are: Representatives Barnhill, Black, Bowen, Bowie, Brubaker, Colton, Culp, Cunningham, DeVane, Esposito, Fitch, Gamble, Grady, Gray, Grimmer, Hackney, Hardaway, Hasty, Hightower, Holt, Judy Hunt, H. Hunter, Isenhower, Jarrell, Jeffus, Jordan, Kennedy, Kimsey, Lewis, Loflin, Luebke, McGee, McLawhorn, Mavretic, Michaux, Miller, Morgan, Nesbitt, Pope, Redwine, Rhodes, Robinson, Stamey, Stewart, Thompson, Wainwright, Wicker, and Withrow - 48.

Voting in the negative: Representatives Abernethy, Albertson, Anderson, Balmer, Beall, Beard, Bowman, Brawley, Brown, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Dawkins, Decker, Dial, Diamont, Dickson, Dockham, Easterling, Ethridge, Fletcher, Foster, Fussell, Gardner, Gottovi, Greenwood, Hege, Howard, Huffman, Sam Hunt, Jeralds, Jones, Kahl, Kerr, Ligon, Lilley, Lutz, McAllister, McLaughlin, Mercer, Nye, Oldham, Privette, Ramsey, Rhyne, Rogers, Russell, Tallent, Wilson, Wood, and Woodard - 54.

Excused absences: Representatives Lineberry, Smith, and Warner - 3.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Hightower for the Permanent Subcommittee on Hazardous Waste of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 1097, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL HAZARDOUS WASTE LANDFILLS TO HAVE ENGINEERED BARRIERS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee bill is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

By Representative Thompson for the Permanent Subcommittee on Solid Waste of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 746, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO PROVIDE AND MAINTAIN RECYCLING BINS AT HIGHWAY REST AREAS, TO REQUIRE THE DEPARTMENT OF AGRICULTURE TO PROVIDE AND MAINTAIN RECYCLING BINS AT THE STATE FAIR-GROUNDS IN RALEIGH, AND TO REQUIRE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO PROVIDE AND MAINTAIN RECYCLING BINS AT STATE PARKS AND AT THE NORTH CAROLINA ZOOLOGICAL PARK, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

H.B. 1131, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DEMOLITION ASPHALT MAY BE USED AS CLEAN FILL, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

By Representative Hurley for the Permanent Subcommittee on Public Transportation of the Standing Committee on Transportation, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 1008, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE ENTIRE LENGTH OF INTERSTATE 40 AS A SCENIC HIGHWAY AND MEMORIAL HIGHWAY, AND TO REGULATE OUT-DOOR ADVERTISING ALONG THAT HIGHWAY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Hardaway for the Committee on Commerce:

H.B. 22, A BILL TO BE ENTITLED AN ACT TO REGULATE REVERSE MORTGAGES, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that

the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 433, A BILL TO BE ENTITLED AN ACT TO REGULATE MULTIPLE EMPLOYER WELFARE ARRANGEMENTS THAT ARE NOT SUBJECT TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Hackney and Miller for the Committee on Finance:

Committee Substitute for **H.B. 37, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A HOMEOWNERS RECOVERY FUND UNDER THE SUPERVISION OF THE GENERAL CONTRACTORS LICENSING BOARD**, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Committee Substitute Bill No. 2 is placed on the Calendar for May 13. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 232, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONDEMNATION OF PROPERTY TAXED AT PRESENT-USE VALUE DOES NOT TRIGGER LIABILITY FOR DEFERRED TAXES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

H.B. 452, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON ANNUAL FEES CHARGED BY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO SUPPORT PUBLIC HEALTH PROGRAMS, AND TO EXEMPT NUTRITION PROGRAMS FOR THE ELDERLY FROM SUCH FEES, with a favorable report.

Committee Substitute for **H.B. 777, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF RALEIGH**, with a favorable report, as amended.

H.B. 874, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE LAW REGARDING THE TAKING UP OF STRAY LIVESTOCK AND TO CONFORM THAT LAW WITH THE LAW REGARDING THE TAKING UP OF LIVESTOCK RUNNING AT LARGE, with a favorable report.

H.B. 1146, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXAMINATION FEE FOR LANDSCAPE CONTRACTOR LICENSE APPLICANTS, with a favorable report.

By Representative Mavretic for the Committee on State Government:

H.B. 57, A BILL TO BE ENTITLED AN ACT TO CREATE A RAILROAD ADVISORY COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

H.B. 350, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING THE EMPLOYMENT OF THE EXECUTIVE DIRECTOR OF THE COMMISSION OF INDIAN AFFAIRS, with a favorable report.

H.B. 441, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TWO AWARDS FOR PREEMINENT ACCOMPLISHMENT MAY BE MADE TO NATIVE-BORN NORTH CAROLINIANS RESIDING OUTSIDE THE STATE, with a favorable report.

H.B. 512, A BILL TO BE ENTITLED AN ACT TO RATIFY THE PROCEDURE FOR APPOINTING THE MEMBERS OF THE SEDIMENTATION CONTROL COMMISSION IN ACCORDANCE WITH AN OPINION OF THE ATTORNEY GENERAL DATED JULY 10, 1974, with a favorable report.

H.B. 915, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A CODE OF CONDUCT FOR PRACTICING PSYCHOLOGISTS, with a favorable report.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Mercer for the Permanent Subcommittee on Military, Veterans and Indian Affairs:

H.B. 595, A BILL TO BE ENTITLED AN ACT TO ADD AN INDIAN MEMBER FROM THE MEHERRIN TRIBE TO THE COMMISSION ON INDIAN AFFAIRS AND TO MAKE CERTAIN TECHNICAL CHANGES, reported to the Standing Committee on State Government, without prejudice.

CALENDAR (continued)

H.B. 372, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW RELATING TO THERAPEUTIC LEAVE FOR MEDICAL ASSISTANCE PATIENTS.

The bill, as amended, passes its third reading, by electronic vote (86-0), and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 1073, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES IN BALLOT INSTRUCTIONS AND BALLOT FORMAT.**

Representative Rhyne offers Amendment No. 1 which is adopted by electronic vote (82-0).

The bill, as amended, passes its third reading, by electronic vote (80-0), and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 1046**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE UTILITIES COMMISSION TO OVERSEE A STUDY OF THE FEASIBILITY OF LIMITING DURATION OF COIN-OPERATED AND COINLESS PUBLIC TELEPHONE CALLS.

The bill, as amended, passes its third reading, by electronic vote (80-19), and is ordered engrossed and sent to the Senate.

RECALL FROM ENGROSSING

On motion of Representative Anderson, **H.B. 714**, A BILL TO BE ENTITLED AN ACT TO PERMIT VOLUNTEER FIRE DEPARTMENTS AND RESCUE SQUADS TO PURCHASE MATERIALS AND SUPPLIES UNDER STATE CONTRACT, is recalled from the Engrossing Office.

On motion of Representative Anderson, the vote by which the bill passed its third reading is reconsidered.

On motion of Representative Dawkins, the vote by which Amendment No. 2 was adopted is reconsidered.

Representative Dawkins withdraws Amendment No. 2.

The bill passes its third reading, by electronic vote (93-1), and is ordered engrossed and sent to the Senate.

CALENDAR (continued)

Committee Substitute for **H.B. 541**, A BILL TO BE ENTITLED AN ACT TO REQUIRE DISCLOSURE AND RECORDATION OF ENVIRONMENTAL LIMITATIONS AND LIABILITIES.

Representative DeVane offers Amendment No. 1 which is adopted by electronic vote (84-0).

The bill, as amended, passes its third reading, by electronic vote (82-1), and is ordered engrossed and sent to the Senate.

H.B. 929, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE LAW, passes its second reading, by electronic vote (80-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 971, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT PRESCRIPTION DRUG LABELS CONTAIN THE EXPIRATION DATE OF THE MEDICATION, passes its second reading by electronic vote (59-36).

Representative Woodard objects to the third reading. The bill remains on the Calendar.

H.B. 379, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR HIGHER FINES FOR SPEEDERS DRIVING MORE THAN FIFTEEN MILES PER HOUR OVER THE SPEED LIMIT.

On motion of Representative Flaherty, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (84-8), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 604, A BILL TO BE ENTITLED AN ACT TO INCREASE THE SURETY BOND TO BE SUBMITTED BY AN APPLICANT FOR A LICENSE AS A MOTOR VEHICLE DEALER, MANUFACTURER, DISTRIBUTION BRANCH, OR FACTORY BRANCH.

Representative Fletcher offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (93-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Rogers for the Permanent Subcommittee on Pre-School, Elementary and Secondary Education of the Standing Committee on Education, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 92, A BILL TO BE ENTITLED AN ACT TO REQUIRE SCHOOL PRINCIPALS TO LIMIT THE AMOUNT OF TIME A SCHOOL COUNSELOR IS ASSIGNED TO NONCOUNSELING DUTIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

H.B. 852, A BILL TO BE ENTITLED AN ACT TO MAKE UNLAWFUL THE SALE OF CIGARETTES TO ANY PERSON WHO IS LESS THAN EIGHTEEN YEARS OLD, passes its second reading, by electronic vote (92-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 861, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MOTOR VEHICLES SHALL STOP FOR SCHOOL BUSES EXHIBITING FLASHING RED STOPLIGHTS.

On motion of Representative Jones, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 1117, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE TRANSFER OF JURISDICTION OVER A JUVENILE TO SUPERIOR COURT FOR TRIAL AS AN ADULT, passes its second reading, by electronic vote (93-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

H.B. 6, A BILL TO BE ENTITLED AN ACT TO SPECIFY APPOINTMENTS TO THE OPEN GOVERNMENT THROUGH PUBLIC TELECOMMUNICATIONS STUDY COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

By Representative Mavretic for the Committee on State Government:

H.B. 595, A BILL TO BE ENTITLED AN ACT TO ADD AN INDIAN MEMBER FROM THE MEHERRIN TRIBE TO THE COMMISSION ON INDIAN AFFAIRS AND TO MAKE CERTAIN TECHNICAL CHANGES, with a favorable report, as amended.

By Representative R. Hunter for the Committee on Judiciary III:

H.B. 397, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE COURTS TO EQUITABLY DIVIDE PENSION, RETIREMENT, AND DEFERRED COMPENSATION PLAN BENEFITS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Pensions and Retirement.

The committee substitute bill is re-referred to the Committee on Pensions and Retirement. The original bill is placed on the Unfavorable Calendar.

H.B. 435, A BILL TO BE ENTITLED AN ACT TO REWRITE AND AMEND THE MOTOR VEHICLE LAWS RELATING TO HANDICAPPED PERSONS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

H.B. 922, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A MOTOR VEHICLE LIABILITY POLICY SHALL REQUIRE THAT THE LIENHOLDER BE NOTIFIED OF SETTLEMENT OF AN INSURED'S PROPERTY CLAIMS, with a favorable report, as amended.

H.B. 1017, A BILL TO BE ENTITLED AN ACT TO PROVIDE SUBPOENA POWER TO ALL MUNICIPALITIES AND TO AUTHORIZE ISSUANCE OF STOP ORDERS FOR VIOLATIONS OF ZONING AND SUBDIVISION ORDINANCES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

Committee Substitute for **H.B. 460, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE STATUTES GOVERNING HEALTH MAINTENANCE ORGANIZATIONS.**

Representative Miller offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (88-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 843, A BILL TO BE ENTITLED AN ACT TO AMEND THE SAFE ROADS ACT.**

Representative Sam Hunt moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Appropriations.

Representative Sam Hunt calls the previous question on the motion to re-refer the bill to the Committee on Appropriations and further moves that the call for the previous question be postponed indefinitely.

Representative Sam Hunt moves, seconded by Representative Fitch, that the call for the previous question on the motion to re-refer the bill to the Committee on Appropriations be postponed indefinitely, do lie upon the table. This motion fails by electronic vote (33-61).

Representative Sam Hunt withdraws the motion to postpone indefinitely the call for the previous question on the motion to re-refer the bill.

The motion before the House is the call for the previous question on the motion to withdraw the bill from the Calendar and re-refer the bill to the Committee on Appropriations.

Representative Wicker moves that the call for the previous question on the motion to re-refer the bill be postponed indefinitely.

Representative Wicker withdraws the motion to postpone indefinitely the call for the previous question on the motion to re-refer the bill.

The question before the House is the call for the previous question on the motion to withdraw the bill from the Calendar and re-refer to the Committee on Appropriations and the call is sustained.

The question before the House is the motion to withdraw the bill from the Calendar and re-refer to the Committee on Appropriations. This motion fails.

Representative Flaherty offers Amendment No. 1.

Representative Flaherty calls the previous question on the amendment and the call is sustained.

A division having been called, Amendment No. 1 fails of adoption by electronic vote (26-78).

Representative Wicker calls the previous question on the passage of the bill and the call is sustained.

The bill passes its second reading by electronic vote (91-14).

Representative Flaherty objects to the third reading. The bill remains on the Calendar.

Representative Wicker moves that the rules be temporarily suspended in order for the bill to be read a third time.

A division having been called, the motion carries by electronic vote (69-32).

Representative Flaherty moves that the bill be temporarily displaced in order to prepare an amendment. A division having been called this motion fails by electronic vote (37-59).

Representative Wicker calls the previous question on the passage of the bill on its third reading and the call is sustained.

The bill passes its third reading, by electronic vote (89-13), and is ordered sent to the Senate.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Michaux for the Committee on Courts, Justice, Constitutional Amendments and Referenda:

H.B. 77, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE MEMBERSHIP OF THE STATE BOARD OF EDUCATION AND TO MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION THE CHAIRMAN OF THE STATE BOARD OF EDUCATION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

Committee Substitute for **H.B. 925**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A GRACE PERIOD FOR PLUMBING AND HEATING CONTRACTORS ELIGIBLE TO OBTAIN A LICENSE WITHOUT EXAMINATION, passes its second reading, by electronic vote (89-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

SUSPENSION OF RULE 31.1c

On motion of Representative Jack Hunt, House Rule 31.1c is temporarily suspended in order that the time for filing of public bills containing appropriations or tax law changes is extended until 5:30 p.m. today.

REPORTS OF COMMITTEES

The following reports from standing committee are presented:

By Representative Judy Hunt for the Committee on Public Utilities:

H.B. 407, A BILL TO BE ENTITLED AN ACT TO CONTINUE PERIODIC REVIEW OF ELECTRIC UTILITY FUEL COSTS, with a favorable report, as amended.

H.B. 636, A BILL TO BE ENTITLED AN ACT TO PERMIT THE UTILITIES COMMISSION TO EXEMPT CELLULAR FROM REGULATION UNDER CHAPTER 62, with a favorable report, as amended.

H.B. 908, A BILL TO BE ENTITLED AN ACT TO ESTABLISH REGULATORY FEES FOR ELECTRIC MEMBERSHIP CORPORATIONS AND TELEPHONE MEMBERSHIP CORPORATIONS TO DEFRAY THE COST TO THE NORTH CAROLINA RURAL ELECTRIFICATION AUTHORITY OF REGULATING MEMBERSHIP CORPORATIONS IN THE INTEREST OF THE PUBLIC, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Jones for the Permanent Subcommittee on Children, Youth and Family of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 416, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND CORRECTIVE CHANGES TO THE CHILD DAY CARE LAW, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Kennedy for the Committee on Judiciary I:

H.B. 420, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AMENDMENTS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 13. The original bill is placed on the Unfavorable Calendar.

By Representative Barnes for the Committee on Education:

H.B. 241, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE NORTH CAROLINA EDUCATION COUNCIL, with a favorable report.

CALENDAR (continued)

Committee Substitute for **H.B. 974**, A BILL TO BE ENTITLED AN ACT TO PROTECT PURCHASERS AND DISCOURAGE FRAUD BY PROHIBITING A PERSON FROM REQUESTING OR RECORDING, AS A CONDITION OF ACCEPTING A CHECK, A CREDIT CARD NUMBER OR ANY OTHER PERSONAL IDENTIFICATION INFORMATION ON A CHECK OR OTHER DRAFT, passes its second reading, by electronic vote (73-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 1111**, A BILL TO BE ENTITLED AN ACT TO REQUIRE PERSONS WHO ACCEPT USED GOODS ON CONSIGNMENT TO KEEP RECORDS OF THE CONSIGNED GOODS, passes its second reading, by electronic vote (83-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 1000**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA COMMUNITY TRUST FOR PERSONS WITH SEVERE CHRONIC DISABILITIES, passes its second reading, by electronic vote (86-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 667**, A BILL TO BE ENTITLED AN ACT TO REQUIRE AN APPLICANT SEEKING A PERMIT NOT DISCHARGING TO THE SURFACE WATERS OF THE STATE TO PROVIDE NOTICE TO EACH CITY AND COUNTY

GOVERNMENT HAVING JURISDICTION OVER THE PROPOSED PERMIT, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.
REPRESENTATIVE WICKER, HOUSE MAJORITY LEADER, PRESIDING.

Committee Substitute for **H.B. 515**, A BILL TO BE ENTITLED AN ACT TO IMPOSE A PENALTY OF ONE HUNDRED DOLLARS FOR SPEEDING IN CERTAIN HIGHWAY WORK ZONES, passes its second reading, by electronic vote (87-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 597**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BUREAU OF INVESTIGATION TO FORM A TASK FORCE TO INVESTIGATE ALL CASES OF SUBSTANTIATED CHILD SEXUAL ABUSE IN DAY CARE, passes its second reading, by electronic vote (84-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 987**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A PERSON MUST BE CONVICTED OF A DRIVING OFFENSE THAT OCCURRED DURING THE PERIOD OF SUSPENSION BEFORE A SUSPENSION MAY BE LENGTHENED BASED ON THAT CONVICTION, passes its second reading, by electronic vote (82-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 599**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE PUBLIC SCHOOL TENURE LAW.

On motion of Representative Barnes, consideration of the bill is postponed until May 13.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Cunningham for the Permanent Subcommittee on Housing:

H.B. 912, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES TO VACATE AND CLOSE CERTAIN DWELLINGS FOUND TO BE IN VIOLATION OF THE MINIMUM HOUSING CODE, reported to the Standing Committee on Commerce, with a favorable recommendation.

H.B. 1011, A BILL TO BE ENTITLED AN ACT TO AVOID UNNECESSARY EVICTIONS BY CLARIFYING AND MODERNIZING

THE PROCEDURES FOR THE CURING OF DEFAULTS ON RENT, reported to the Standing Committee on Commerce, with a favorable recommendation.

H.B. 1012, A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PORTIONS OF LANDLORD AND TENANT LAW, reported to the Standing Committee on Commerce, with a favorable recommendation.

CALENDAR (continued)

Committee Substitute for **H.B. 1086**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE PIEDMONT TRIAD RESEARCH INSTITUTE TO OPERATE THE PIEDMONT TRIAD GRADUATE ENGINEERING PROGRAM, BASED AT WAKE FOREST UNIVERSITY AND SERVING THE ENTIRE PIEDMONT TRIAD, passes its second reading, by electronic vote (82-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 419, A BILL TO BE ENTITLED AN ACT RELATING TO REVIVAL OF WILL PROVISIONS REVOKED BY DIVORCE, ANNULMENT, OR EXECUTION OF A NEW WILL AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Representative Kennedy offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

Representative Rhyne offers Amendment No. 2.

Representative Rhyne moves that the rules be suspended in order to consider the amendment, which changes the title.

Representative Rhyne withdraws the motion to suspend the rules to consider Amendment No. 2.

Representative Rhyne withdraws Amendment No. 2.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 605, A BILL TO BE ENTITLED AN ACT TO CLARIFY PROCEDURAL REQUIREMENTS FOR DISPOSITIONS COMMITTING JUVENILES TO THE DIVISION OF YOUTH SERVICES, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 740, A BILL TO BE ENTITLED AN ACT RELATING TO ELIGIBILITY TO SERVE ON A COMMUNITY COLLEGE BOARD OF TRUSTEES.

On motion of Representative Black, Committee Amendment No. 1 is adopted.

Representative Wilson requests that she be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill, as amended, passes its second reading, by electronic vote (82-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 135, A BILL TO BE ENTITLED AN ACT TO REQUIRE A CERTIFIED TRANSPORTER OF USED OIL TO MARK ALL ITS VEHICLES OR CONTAINERS OF USED OIL ON THE VEHICLES WHICH TRANSPORT USED OIL, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 620, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE RECYCLING OF LEAD-ACID BATTERIES AND TO OTHERWISE REGULATE THE DISPOSAL OF LEAD-ACID BATTERIES.

On motion of Representative Loflin, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (85-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 907, A BILL TO BE ENTITLED AN ACT TO GIVE GENERAL PAY INCREASES PRIORITY OVER PERFORMANCE PAY AS THE GOVERNOR AND GENERAL ASSEMBLY DETERMINE THE APPROPRIATE ALLOCATION OF STATE EMPLOYEE SALARY INCREASES RELATING TO COST OF LIVING ADJUSTMENTS AND PERFORMANCE PAY.

On motion of Representative Fletcher, Committee Amendment No. 1 is adopted.

On motion of Representative Fletcher, the bill is withdrawn from the Calendar, ordered engrossed, and re-referred to the Committee on Appropriations.

H.B. 953, A BILL TO BE ENTITLED AN ACT TO EXEMPT AREA MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE AUTHORITIES FROM CERTAIN PROVISIONS OF THE STATE PERSONNEL ACT.

On motion of Representative Gardner, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (82-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

SPEAKER BLUE PRESIDING.

H.B. 402, A BILL TO BE ENTITLED AN ACT TO PERMIT THE DIVISION OF MOTOR VEHICLES TO CORRECT ITS RECORDS USING FORWARDING ADDRESSES FURNISHED BY THE POSTAL SERVICE, passes its second reading, by electronic vote (88-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

RE-REFERRALS

On motion of Representative Hardaway, **H.B. 991**, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIAL RULES FOR INTERNATIONAL COMMERCIAL ARBITRATIONS, is withdrawn from the Committee on Judiciary I and re-referred to the Committee on Commerce.

CALENDAR (continued)

H.B. 873, A BILL TO BE ENTITLED AN ACT TO POSTPONE THE DEADLINE: (1) FOR COMPLETING THE CLASSIFICATION OF WATER SUPPLY WATERSHEDS AND (2) FOR SUBMITTING LOCAL WATER SUPPLY ORDINANCES, passes its second reading, by electronic vote (87-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 408, A BILL TO BE ENTITLED AN ACT TO AMEND THE CERTIFICATE OF NEED LAW TO IMPROVE THE ABILITY TO PLAN FOR CHEMICAL DEPENDENCY TREATMENT BEDS AND TO MAKE CLEAR THAT THE STATE MEDICAL FACILITIES PLAN LIMITS THE NUMBER OF BEDS OR FACILITIES THAT MAY BE APPROVED.

On motion of Representative Miller, consideration of the bill is postponed until May 14.

H.J.R. 65, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE JOHN C. CAMPBELL FOLK SCHOOL AND THE PENLAND SCHOOL OF CRAFTS AND DECLARING BOTH SCHOOLS AS NORTH CAROLINA ARTS AND CRAFTS RESOURCES, passes its second reading, by electronic vote (86-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

H.B. 528, A BILL TO BE ENTITLED AN ACT TO AMEND THE FREQUENCY OF REPORTS PREPARED FOR THE GENERAL ASSEMBLY AND VARIOUS COMMISSIONS AND COMMITTEES OF THE GENERAL ASSEMBLY BY AGENCIES, BOARDS, COMMISSIONS, AND DEPARTMENTS AS SPECIFIED, passes its second reading, by electronic vote (85-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 891, A BILL TO BE ENTITLED AN ACT TO CLARIFY QUALIFICATIONS FOR A STATE BUILDING COMMISSION MEMBER, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1075, A BILL TO BE ENTITLED AN ACT TO MODIFY THE APPEARANCE OF THE MOTOR VEHICLE REGISTRATION PLATES ISSUED TO MEMBERS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES, passes its second reading, by electronic vote (85-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S.B. 829, A BILL TO BE ENTITLED AN ACT CONCERNING THE STATE BOARD OF COMMUNITY COLLEGES.

Representative Rhyne moves, seconded by Representative Huffman, that the bill do lie upon the table. This motion fails by electronic vote (32-60).

The bill passes its second reading, by electronic vote (62-31), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Representative Jack Hunt moves, seconded by Representative Gray, subject to the reading of notices and announcements, that the House do adjourn. This motion carries.

The House adjourns at 7:35 p.m. to reconvene May 10 at 8:00 a.m.

SIXTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Friday, May 10, 1991

The House meets at 8:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of May 9 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brubaker, Gray, Grimmer, Lineberry, Rhodes, and Smith for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lutz for the Committee on Local and Regional Government II:

H.B. 789, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF GASTONIA, with a favorable report as to committee substitute bill, unfavorable as to original bill.

On motion of Representative Lutz, the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Michaux for the Committee on Courts, Justice, Constitutional Amendments and Referenda:

H.B. 984, A BILL TO BE ENTITLED AN ACT TO ADOPT A COMPARATIVE FAULT SYSTEM, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Green, Bowman, Cunningham, Fitch, Hardaway, H. Hunter, Kennedy, Kimsey, Luebke, Oldham, Privette, Smith, and Wainwright:

H.B. 1204, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE SERVICES AND ESTABLISH COORDINATED MANAGED CARE PROGRAMS FOR THE HIGH-RISK ELDERLY, is referred to the Committee on Appropriations.

By Representative McGee:

H.B. 1205, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE ADMINISTRATION OF THE EXCISE TAX ON SOFT DRINKS AND TO CHANGE THE TAX ON BOTTLED DRINKS FROM A TAX PER BOTTLE TO A TAX PER GALLON, is referred to the Committee on Finance.

By Representatives Luebke, Holt, and H. Hunter:

H.B. 1206, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL FUNDS FOR PUBLIC TRANSPORTATION, is referred to the Committee on Appropriations.

By Representatives Stamey and Bowman:

H.B. 1207, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA AIR CARGO AIRPORT AUTHORITY FOR OPERATING EXPENSES, is referred to the Committee on Appropriations.

By Representative Bowman:

H.B. 1208, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE AGENCIES TO PROVIDE INFORMATION AND

JUSTIFICATION FOR APPROPRIATION REQUESTS, is referred to the Committee on Appropriations.

By Representative Holt:

H.B. 1209, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE COMPREHENSIVE EPILEPSY PROGRAM, is referred to the Committee on Appropriations.

By Representatives Flaherty, Anderson, Brubaker, DeVane, Ethridge, Fletcher, Gist, Gottovi, H. Hunter, R. Hunter, Robinson, and Stewart:

H.B. 1210, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROGRAM TO PROVIDE FOR REGIONAL RESPONSE TEAMS TO RESPOND TO HAZARDOUS MATERIALS EMERGENCIES IN NORTH CAROLINA, TO ASSESS FEES TO FUND THIS PROGRAM, AND TO ESTABLISH A LEGISLATIVE STUDY COMMISSION TO STUDY HAZARDOUS MATERIALS CONTROL AND MANAGEMENT, is referred to the Committee on Environment.

By Representatives Fitch, Bowman, Brawley, Brown, Colton, N. J. Crawford, Fletcher, Fussell, Greenwood, Lewis, Nesbitt, and Warner:

H.J.R. 1211, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE POSSIBILITY OF CREATING A SEPARATE DEFINITION FOR PROFESSIONAL FIRE FIGHTERS WITHIN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Colton, N. J. Crawford, Greenwood, and Nesbitt:

H.B. 1212, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR VARIOUS OPERATIONS, CONSTRUCTION, AND IMPROVEMENT PURPOSES IN HENDERSON COUNTY, is referred to the Committee on Appropriations.

By Representative Rhyne:

H.J.R. 1213, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, is referred to the Committee on Public Utilities.

By Representative Jeralds:

H.B. 1214, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO UPLIFT, INC., TO PROMOTE THE HEALTH AND WELL-BEING OF CHILDREN, FAMILIES, AND COMMUNITIES, is referred to the Committee on Appropriations.

By Representatives Jeralds and Easterling:

H.B. 1215, A BILL TO BE ENTITLED AN ACT TO INCREASE HOSPITAL MEDICAID REIMBURSEMENT AND TO EXPAND

MEDICAID ELIGIBILITY TO COVER MORE ELDERLY, BLIND, AND DISABLED INDIVIDUALS, is referred to the Committee on Human Resources.

By Representatives Hurley, Beard, Jeralds, McAllister, and Warner:

H.B. 1216, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA FOREIGN LANGUAGE CENTER, is referred to the Committee on Appropriations.

By Representatives Hurley and Bowman:

H.B. 1217, A BILL TO BE ENTITLED AN ACT TO CREATE THE ABC PREMISES INSPECTION STUDY COMMISSION, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Jarrell, Bowie, Gist, and Jeffus:

H.B. 1218, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA SHAKESPEARE FESTIVAL, is referred to the Committee on Appropriations.

By Representative Withrow:

H.B. 1219, A BILL TO BE ENTITLED AN ACT TO DISALLOW CORPORATE INTEREST DEDUCTIONS FOR CERTAIN HIGH-INTEREST BONDS, is referred to the Committee on Finance.

By Representative Withrow:

H.B. 1220, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA ACADEMIC SCHOLARS PROGRAM AND TO ESTABLISH THE NORTH CAROLINA ACADEMIC SCHOLARSHIP AWARDS COMMITTEE TO OVERSEE THE PROGRAM, is referred to the Committee on Appropriations.

By Representative Hurley:

H.B. 1221, A BILL TO BE ENTITLED AN ACT TO PROVIDE A MENU OF LOCAL OPTION TAXES FOR CITIES AND COUNTIES, is referred to the Committee on Finance.

By Representatives Nesbitt and H. Hunter:

H.B. 1222, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE CLEANUP OF LEAKING PETROLEUM UNDERGROUND STORAGE TANKS, is referred to the Committee on Finance.

By Representative Hardaway, Speaker Blue, Representatives Barnhill, Bowman, Cunningham, Fitch, Gist, Green, H. Hunter, Jeralds, Kennedy, McAllister, Michaux, Oldham, and Wainwright:

H.B. 1223, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT ECONOMIC DEVELOPMENT ACTIVITIES IN MINORITY NEIGHBORHOODS AND COMMUNITIES,

PROGRAMS THAT ASSIST SMALL FARMERS, AND PROGRAMS THAT ASSIST SMALL BUSINESSES, is referred to the Committee on Appropriations.

By Representative Mavretic:

H.B. 1224, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCENTIVE FOR THE USE OF RECYCLED NEWSPRINT BY REQUIRING PUBLISHERS WHO DO NOT USE A MINIMUM AMOUNT OF RECYCLED NEWSPRINT TO PAY A TAX ON NON-RECYCLED NEWSPRINT, is referred to the Committee on Finance.

By Representatives Mavretic and Bowman:

H.B. 1225, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES AND CITIES TO LEVY LOCAL ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAXES, is referred to the Committee on Finance.

By Representatives Abernethy and Bowman:

H.J.R. 1226, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE TO STUDY RAILROADS IN NORTH CAROLINA, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Gottovi, Barnes, Colton, N. J. Crawford, Ethridge, Fletcher, Greenwood, Hackney, H. Hunter, Kahl, Luebke, Payne, and Stamey:

H.R. 1227, A HOUSE RESOLUTION AUTHORIZING THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY VARIOUS ISSUES CONCERNING THE NORTH CAROLINA ENVIRONMENTAL POLICY ACT OF 1971, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Kahl and Bowman:

H.B. 1228, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA 4-H PROGRAM, is referred to the Committee on Appropriations.

By Representatives Kahl and Bowman:

H.B. 1229, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA 4-H DEVELOPMENT FUND, AT NORTH CAROLINA STATE UNIVERSITY FOR THE NORTH CAROLINA 4-H PROGRAM, is referred to the Committee on Appropriations.

By Representatives Hege and Justus:

H.B. 1230, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT UNIVERSITY OF NORTH CAROLINA TUITION RATES BE TIED TO THE CONSUMER PRICE INDEX, TO REQUIRE THAT TUITION REACH THE AVERAGE OF THE SOUTHERN REGIONAL EDUCATION BOARD'S COMPARABLE FIFTEEN

INSTITUTIONS' TUITION BY 1993, AND TO APPROPRIATE FUNDS, is referred to the Committee on Education.

By Representative Gamble:

H.B. 1231, A BILL TO BE ENTITLED AN ACT TO REDUCE UTILITY RATES CHARGED TO THE STATE BY EXCLUDING THE COSTS OF INCOME TAXES FROM THOSE RATES, is referred to the Committee on Finance.

By Representatives Buchanan and Flaherty:

H.B. 1232, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE POSSIBILITY OF UNIFORMLY ADMINISTERING REGISTER OF DEEDS OFFICES THROUGH A STATE AGENCY, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Buchanan and Flaherty:

H.B. 1233, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR VARIOUS PUBLIC PROJECTS IN MITCHELL COUNTY, is referred to the Committee on Appropriations.

By Representative R. Hunter:

H.B. 1234, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CORRECTION FOR THE PURCHASE OF LAND FROM MCDOWELL COUNTY TO BE USED FOR A STATE PRISON SITE, is referred to the Committee on Appropriations.

By Representative Redwine:

H.B. 1235, A BILL TO BE ENTITLED AN ACT TO AMEND THE EXCISE STAMP TAX ON CONVEYANCES, is referred to the Committee on Finance.

By Representatives Rogers and H. Hunter:

H.B. 1236, A BILL TO BE ENTITLED AN ACT TO EXPAND THE CRITERIA FOR DESIGNATION AS A DISTRESSED COUNTY FOR INCOME TAX PURPOSES, is referred to the Committee on Finance.

By Representatives H. Hunter, Bowman, Brawley, Ethridge, Flaherty, Fletcher, and Lilley:

H.B. 1237, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN INDEPENDENT STUDY COMMISSION TO STUDY THE LOCAL GOVERNMENT FISCAL INFORMATION ACT, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Jeffus and Gist:

H.B. 1238, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF PUBLIC EDUCATION

FOR PERFORMANCES BY THE TOURING THEATRE ENSEMBLE OF GUILFORD, INC., is referred to the Committee on Appropriations.

By Representatives Jeffus, Bowman, Foster, Gist, Gray, Hasty, Holt, Sam Hunt, Jarrell, Kennedy, Oldham, Rhodes, and Wainwright:

H.B. 1239, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE EASTERN MUSIC FESTIVAL TO SUPPORT ACTIVITIES COMMEMORATING THE THIRTIETH ANNIVERSARY SEASON OF THE FESTIVAL, is referred to the Committee on Appropriations.

By Representatives Fitch, Bowen, Bowman, and Sam Hunt:

H.B. 1240, A BILL TO BE ENTITLED AN ACT TO MAKE NECESSARY STATUTORY CHANGES TO KEEP CURRENT THE LEGISLATIVE REDISTRICTING SYSTEM AND TO MAKE AN APPROPRIATION THEREFOR, is referred to the Committee on Legislative and Local Redistricting.

By Representative Pope:

H.B. 1241, A BILL TO BE ENTITLED AN ACT TO REPEAL THE TAX CREDITS FOR QUALIFIED BUSINESS INVESTMENTS MADE ON OR AFTER APRIL 1, 1991, is referred to the Committee on Finance.

By Representatives Stamey and Easterling:

H.B. 1242, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX FAIRNESS AND TAX RESTRUCTURING FOR CORPORATIONS, is referred to the Committee on Finance.

By Representatives Flaherty, Buchanan, Colton, Fletcher, and Robinson:

H.B. 1243, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES FOR STAFF POSITIONS IN THE LAND RESOURCES DIVISION, is referred to the Committee on Appropriations.

By Representative Anderson:

H.B. 1244, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR RESEARCH AND DEVELOPMENT IN THE SCHOOL OF PULP AND PAPER SCIENCES AT NORTH CAROLINA STATE UNIVERSITY, is referred to the Committee on Appropriations.

By Representatives Nesbitt, Bowman, and Diamont:

H.B. 1245, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET AND EXPANSION BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives Barnes, Colton, J. W. Crawford, Greenwood, and R. Hunter:

H.B. 1246, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR VARIOUS EDUCATION PROGRAMS, is referred to the Committee on Appropriations.

By Representatives Colton, N. J. Crawford, Greenwood, and Nesbitt:

H.B. 1247, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR VARIOUS OPERATIONS, CONSTRUCTION, AND IMPROVEMENT PURPOSES IN BUNCOMBE COUNTY, is referred to the Committee on Appropriations.

By Representatives Colton, Easterling, and Stamey:

H.B. 1248, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PRIVILEGE LICENSE TAX ON OUTDOOR ADVERTISING, is referred to the Committee on Finance.

By Representatives Colton, Easterling, Luebke, Stamey, and Withrow:

H.B. 1249, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX FAIRNESS BY CLOSING LOOPHOLES AND ELIMINATING SPECIAL EXEMPTIONS IN THE SALES TAX AND BEVERAGE TAX LAWS, is referred to the Committee on Finance.

By Representative Barnes, Speaker Blue, Representatives Black, Bowman, Diamont, Fussell, Hackney, Miller, Nesbitt, Payne, Rogers, Warner, and Wicker:

H.B. 1250, A BILL TO BE ENTITLED AN ACT TO ENACT THE PUBLIC SCHOOL ACT OF 1991, is referred to the Committee on Education.

By Representatives Colton, Barnes, Bowman, Brawley, Dawkins, Fitch, Fussell, Gist, Gottovi, Greenwood, Hensley, Jeralds, Jones, Luebke, Michaux, Nye, Payne, Redwine, Robinson, Rogers, Wainwright, Warner, and Wicker:

H.B. 1251, A BILL TO BE ENTITLED AN ACT TO REVISE THE SALARY SCHEDULE FOR NONCERTIFIED PUBLIC SCHOOL PERSONNEL WHO ARE CLASSIFIED AS TEACHER ASSISTANTS, AND TO APPROPRIATE FUNDS TO IMPLEMENT THE REVISED SCHEDULE, is referred to the Committee on Public Employees.

By Representatives Miller and Bowman:

H.B. 1252, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF REVENUE TO CONTINUE AUTOMATION OF ITS INTEGRATED TAX ADMINISTRATION SYSTEM AND TO REQUIRE THE STATE TREASURER TO STUDY THE BENEFITS OF USING ELECTRONIC FUNDS TRANSFER FOR RECEIPT OF PAYMENTS TO OTHER STATE AGENCIES, is referred to the Committee on Appropriations.

By Representative Miller:

H.B. 1253, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MAIL ORDER SALES TAX, is referred to the Committee on Finance.

By Representative Miller:

H.B. 1254, A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATE SALES TAX ON MANUFACTURED HOMES, is referred to the Committee on Finance.

By Representatives Miller and Bowman:

H.B. 1255, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR UNIFORM SALES TAX TREATMENT OF GOVERNMENT PURCHASES, is referred to the Committee on Finance.

By Representative Miller:

H.B. 1256, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IN APPORTIONING CORPORATE INCOME TO THIS STATE FOR TAX PURPOSES, SALES DELIVERED TO ANOTHER STATE WHERE THEY ARE NOT TAXABLE ARE TREATED AS SALES IN THIS STATE, is referred to the Committee on Finance.

By Representatives Luebke, Ethridge, Fletcher, and Withrow:

H.B. 1257, A BILL TO BE ENTITLED AN ACT TO REQUIRE A GENERAL REAPPRAISAL OF REAL PROPERTY WHEN THE LEVEL OF ASSESSMENT IN THE COUNTY IS SIGNIFICANTLY BELOW FAIR MARKET VALUE, is referred to the Committee on Finance.

By Representatives Luebke, Fletcher, Green, Stamey, and Withrow:

H.B. 1258, A BILL TO BE ENTITLED AN ACT TO IMPOSE A LUXURY TAX ON EXPENSIVE PASSENGER VEHICLES, BOATS, AIRCRAFT, JEWELRY, AND FURS, is referred to the Committee on Finance.

By Representatives Easterling, Colton, and Diamont:

H.B. 1259, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE THE ADOPTION SUBSIDY RATE TO THE SAME RATE AS THE FOSTER CARE BOARD RATE, is referred to the Committee on Appropriations.

By Representatives Diamont, Albertson, Barnes, Barnhill, Beard, Black, Bowen, Chapin, Colton, J. W. Crawford, N. J. Crawford, DeVane, Dial, Easterling, Flaherty, Gottovi, Hackney, Hasty, Holt, Judy Hunt, H. Hunter, Isenhower, James, Jeffus, Jeralds, Jones, Jordan, Luebke, McAllister, McLaughlin, Mavretic, Nesbitt, Ramsey, Redwine, Rogers, Thompson, Wicker, Wilmoth, and Withrow:

H.B. 1260, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA CHILD PROTECTION ACT OF 1991

AND TO APPROPRIATE FUNDS, is referred to the Committee on Appropriations.

By Representatives N. J. Crawford, Albertson, Anderson, Barbee, Barnes, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hasty, Hensley, Hightower, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, R. Hunter, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lewis, Ligon, Lilley, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard:

H.B. 1261, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN INDEPENDENT STUDY COMMISSION TO STUDY THE RELATIONSHIP BETWEEN LOCAL INFRASTRUCTURE, CONSERVATION OF NATURAL RESOURCES AND LAND RESOURCES MANAGEMENT IN THE STATE MOUNTAIN AREAS, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Luebke and Woodard:

H.B. 1262, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE SOUTHERN TECHNOLOGY COUNCIL TO MODERNIZE SMALL AND MEDIUM SIZE MANUFACTURERS, is referred to the Committee on Appropriations.

By Representative Payne:

H.J.R. 1263, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE REVISION OF SUBSTANTIVE AND EVIDENTIARY LAWS REGARDING RAPE, INCEST, AND CERTAIN OTHER CRIMES, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Payne and H. Hunter:

H.B. 1264, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA OCCUPATIONAL SAFETY AND HEALTH ACT SAFETY FUND FOR STATE EMPLOYEES, is referred to the Committee on Appropriations.

By Representatives Nye and Bowen:

H.B. 1265, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE PENDER COUNTY BOARD OF COMMISSIONERS FOR THE MAPLE HILL RURAL MEDICAL CENTER CONSTRUCTION PROJECT, is referred to the Committee on Appropriations.

By Representatives Wicker, Hackney, and H. Hunter:

H.B. 1266, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE FOR THE MANAGEMENT OF HAZARDOUS WASTE IN NORTH CAROLINA THROUGH THE REDUCTION OF HAZARDOUS WASTE GENERATION, is referred to the Committee on Appropriations.

By Representative Redwine:

H.B. 1267, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADULTS WITH CYSTIC FIBROSIS WHO ARE ELIGIBLE FOR SERVICES UNDER CURRENT INCOME ELIGIBILITY LEVELS, is referred to the Committee on Appropriations.

By Representative Beall:

H.B. 1268, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CORPORATE INCOME TAX FROM SEVEN PERCENT TO EIGHT PERCENT, is referred to the Committee on Finance.

By Representative Luebke:

H.B. 1269, A BILL TO BE ENTITLED AN ACT TO RESTORE THE INTANGIBLES TAX ON MONEY ON DEPOSIT, REPEALED IN 1985, is referred to the Committee on Finance.

By Representatives Luebke, and H. Hunter:

H.B. 1270, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, FOR COMMUNITY EDUCATION ON MENTAL HEALTH ISSUES, is referred to the Committee on Appropriations.

By Representatives Wainwright, Anderson, H. Hunter, and Lilley:

H.B. 1271, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CRAVEN COUNTY TO ASSIST WITH EXPENSES OF A PILOT PROJECT TO DEVELOP ON-SITE ALTERNATIVE SEWAGE TREATMENT SYSTEMS AND MANAGEMENT SCHEMES FOR THOSE SYSTEMS, is referred to the Committee on Appropriations.

By Representatives Ethridge and H. Hunter:

H.B. 1272, A BILL TO BE ENTITLED AN ACT TO INCREASE THE TAX ON WORKERS' COMPENSATION INSURANCE PREMIUMS AND TO DEDICATE PART OF THE ADDITIONAL TAX REVENUE FOR SUPPORT OF THE INDUSTRIAL COMMISSION, is referred to the Committee on Finance.

By Representative Anderson:

H.B. 1273, A BILL TO BE ENTITLED AN ACT TO ALLOW EMPLOYEES OF THE GENERAL ASSEMBLY TO RECEIVE

RETIREMENT CREDIT FOR FULL-TIME TEMPORARY SERVICE WITH OTHER STATE AGENCIES, is referred to the Committee on Pensions and Retirement.

By Representative Miller:

H.B. 1274, A BILL TO BE ENTITLED AN ACT TO INCREASE THE STAMP TAX ON TRANSFERS OF REAL PROPERTY TO GENERATE FUNDS FOR LOCAL GOVERNMENTS, is referred to the Committee on Finance.

By Representative Miller:

H.B. 1275, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CORPORATE FRANCHISE TAX, is referred to the Committee on Finance.

By Representative Bowen:

H.B. 1276, A BILL TO BE ENTITLED AN ACT TO REMOVE THE EIGHTY-DOLLAR SALES TAX CAP ON INDUSTRIAL MACHINERY, is referred to the Committee on Finance.

By Representative J. W. Crawford:

H.B. 1277, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE POLICY REGARDING WATER WITHDRAWALS AND TO PROVIDE REMEDIES FOR WATER WITHDRAWALS WHICH ARE CONTRARY TO PUBLIC POLICY, is referred to the Committee on Appropriations.

By Representatives DeVane and Bowman:

H.B. 1278, A BILL TO BE ENTITLED AN ACT TO CHANGE CERTAIN FEES CHARGED BY THE AUCTIONEERS COMMISSION, is referred to the Committee on Finance.

By Representative Mavretic:

H.B. 1279, A BILL TO BE ENTITLED AN ACT TO EQUALIZE THE HOMESTEAD EXEMPTION AND TO PHASE OUT THE STATE REIMBURSEMENT TO LOCALITIES FOR A PORTION OF THE LOST TAX REVENUE, is referred to the Committee on Finance.

By Representatives Jeralds, Barnhill, Easterling, H. Hunter, and McAllister:

H.J.R. 1280, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE IMPACT OF THE TRANSFER OF HEALTH DIVISIONS FROM THE DEPARTMENT OF HUMAN RESOURCES TO THE NEW DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Jeralds:

H.B. 1281, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND

NATURAL RESOURCES TO COMPILE AN INVENTORY OF AND INSPECT EXISTING SMALL DAMS AND TO REQUIRE DEVELOPERS AND BUILDERS TO FILE A MAP OR PLAT WITH THE DEPARTMENT SHOWING EXISTING OR PLANNED DAMS PRIOR TO OBTAINING A BUILDING PERMIT OR RECORDING A SUBDIVISION PLAT, is referred to the Committee on Appropriations.

By Representative Miller:

H.B. 1282, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF REVENUE TO ALLOW OR REQUIRE PAYMENT OF TAXES BY ELECTRONIC FUNDS TRANSFER, is referred to the Committee on Finance.

By Representative Luebke:

H.B. 1283, A BILL TO BE ENTITLED AN ACT TO INDEX THE AMOUNT OF THE PROPERTY TAX HOMESTEAD EXEMPTION AND THE AMOUNT OF THE INCOME LIMIT FOR ELIGIBILITY FOR THE EXEMPTION, is referred to the Committee on Finance.

By Representative Luebke:

H.B. 1284, A BILL TO BE ENTITLED AN ACT TO ELIMINATE SPECIAL INTEREST CORPORATE TAX BREAKS, is referred to the Committee on Finance.

By Representatives Luebke and Easterling:

H.B. 1285, A BILL TO BE ENTITLED AN ACT TO REDUCE THE STATE SALES TAX ON FOOD, is referred to the Committee on Finance.

By Representatives Stamey and Easterling:

H.B. 1286, A BILL TO BE ENTITLED AN ACT TO INCREASE TAXES ON TOBACCO TO PROVIDE FUNDS FOR EDUCATION, SUBJECT TO APPROVAL BY THE VOTERS OF THE STATE, is referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

By Representatives Redwine, Anderson, and Bowman:

H.B. 1287, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ADMINISTRATIVE OFFICE OF THE COURTS AND TO INCREASE THE MAXIMUM NUMBER OF MAGISTRATES AUTHORIZED FOR CERTAIN COUNTIES, is referred to the Committee on Appropriations.

By Representatives Withrow and Easterling:

H.B. 1288, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX FAIRNESS BY INCREASING INCOME TAXES ON HIGH-INCOME PERSONS, ELIMINATING THE INDIVIDUAL INCOME TAX CREDIT FOR NORTH CAROLINA DIVIDENDS, INCREASING THE CIGARETTE TAX, AND EXTENDING THE CIGARETTE

TAX TO CIGARS AND SMOKELESS TOBACCO, is referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 674**, A BILL TO BE ENTITLED AN ACT TO MERGE THE TOWNS OF JONESVILLE AND ARLINGTON IN YADKIN COUNTY, SUBJECT TO A REFERENDUM, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Green, Greenwood, Hege, Hensley, Hightower, Howard, Huffman, Jack Hunt, Judy Hunt, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kerr, Lewis, Ligon, Lilley, Loflin, Lutz, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Stewart, Tallent, Thompson, Wainwright, Wilmoth, Wilson, Withrow, Wood, and Woodard - 87.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Gray, Grimmer, Lineberry, Rhodes, and Smith - 6.

H.B. 809, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE SEVEN LAKES COMMUNITY IN MOORE COUNTY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Green, Greenwood, Hege, Hensley, Hightower, Howard, Huffman, Jack Hunt, Judy Hunt, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kerr, Lewis, Ligon, Lilley, Loflin, Lutz, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Stewart, Tallent, Thompson, Wainwright, Wilmoth, Wilson, Withrow, Wood, and Woodard - 87.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Gray, Grimmer, Lineberry, Rhodes, and Smith - 6.

Committee Substitute for **H.B. 777**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF RALEIGH.

On motion of Representative Fussell, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Green, Greenwood, Hege, Hensley, Hightower, Howard, Huffman, Jack Hunt, Judy Hunt, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kerr, Lewis, Ligon, Lilley, Loflin, Luebke, Lutz, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Stamey, Stewart, Tallent, Thompson, Wainwright, Wilmoth, Wilson, Withrow, Wood, and Woodard - 89.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Gray, Grimmer, Lineberry, Rhodes, and Smith - 6.

Committee Substitute for **H.B. 585**, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LOCATION OF NEW ABC STORES IN BRUNSWICK COUNTY TO NO CLOSER THAN SEVEN MILES TO EXISTING ABC STORES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 663**, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAW RELATING TO SUPPLEMENTAL RETIREMENT FUNDS FOR FIREMEN IN THE CITY OF ROCKY MOUNT TO PROVIDE A SUPPLEMENTAL RETIREMENT FUND FOR THE FIREMEN, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute No. 2 for **H.B. 54**, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE STATUTES RELATING TO CREDIT UNIONS AND TO INCREASE THE PENALTY FOR SUBMITTING LATE REPORTS TO THE ADMINISTRATOR OF CREDIT UNIONS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Flaherty, Fletcher, Foster, Fussell, Gardner, Greenwood, Hackney, Hege, Hightower, Howard, Huffman, Jack Hunt, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kerr, Lewis, Ligon, Lilley, Loflin, Luebke, Lutz, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhyne, Rogers, Russell, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 85.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Gray, Grimmer, Lineberry, Rhodes, and Smith - 6.

Committee Substitute for H.B. 485, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A NORTH CAROLINA INTERPRETER CLASSIFICATION SYSTEM APPLICATION AND ASSESSMENT FEE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Green, Greenwood, Hackney, Hege, Hightower, Holt, Howard, Huffman, Judy Hunt, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Lewis, Ligon, Lilley, Loflin, Luebke, Lutz, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhyne, Russell, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 84.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Gray, Grimmer, Lineberry, Rhodes, and Smith - 6.

H.B. 452, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON ANNUAL FEES CHARGED BY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO SUPPORT PUBLIC HEALTH PROGRAMS, AND TO EXEMPT NUTRITION PROGRAMS FOR THE ELDERLY FROM SUCH FEES.

On motion of Representative Diamont, the bill is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

H.B. 874, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE LAW REGARDING THE TAKING UP OF STRAY LIVESTOCK AND TO CONFORM THAT LAW WITH THE LAW

REGARDING THE TAKING UP OF LIVESTOCK RUNNING AT LARGE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnhill, Beall, Beard, Bowen, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, N. J. Crawford, Creech, Culp, Cunningham, Diamont, Dockham, Easterling, Esposito, Ethridge, Foster, Fussell, Gamble, Gottovi, Grady, Green, Greenwood, Hackney, Hardaway, Hege, Hensley, Holmes, Howard, Huffman, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kerr, Kimsey, Lewis, Ligon, Loflin, Luebke, Lutz, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Oldham, Pope, Privette, Russell, Stewart, Tallent, Warner, Wicker, Wilson, Withrow, and Wood - 68.

Voting in the negative: Representatives Anderson, J. W. Crawford, Dawkins, Dickson, Hightower, Judy Hunt, Isenhower, Lilley, McLaughlin, McLawhorn, Ramsey, Redwine, Rhyne, Rogers, Thompson, Wilmoth, and Woodard - 17.

Excused absences: Representatives Brubaker, Gray, Grimmer, Lineberry, Rhodes, and Smith - 6.

H.B. 1146, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXAMINATION FEE FOR LANDSCAPE CONTRACTOR LICENSE APPLICANTS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnhill, Beall, Beard, Bowen, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gamble, Gottovi, Grady, Green, Greenwood, Hackney, Hardaway, Hege, Hensley, Hightower, Holmes, Howard, Huffman, Judy Hunt, Isenhower, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kerr, Kimsey, Lewis, Ligon, Lilley, Loflin, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Redwine, Rhyne, Rogers, Russell, Stewart, Tallent, Thompson, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 85.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Gray, Grimmer, Lineberry, Rhodes, and Smith - 6.

H.B. 915, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A CODE OF CONDUCT FOR PRACTICING PSYCHOLOGISTS, passes its second reading, by electronic vote (93-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 971, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT PRESCRIPTION DRUG LABELS CONTAIN THE EXPIRATION DATE OF THE MEDICATION.

The bill fails to pass its third reading by electronic vote (37-56).

H.B. 902, A BILL TO BE ENTITLED AN ACT TO REMOVE FARM COVERAGES FROM THE JURISDICTION OF THE NORTH CAROLINA RATE BUREAU, passes its second reading, by electronic vote (88-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 671, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT VOTER LISTS MAY BE PROVIDED BY COUNTY BOARDS OF ELECTIONS ONLY FOR POLITICAL ENTITIES AND FOR JURY SELECTION PURPOSES.

On motion of Representative Jeralds, consideration of the bill is postponed until May 13.

H.B. 644, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMMISSION TO DESIGNATE A STATE TO HOST THE THIRD REGIONAL DISPOSAL FACILITY AS A CONDITION TO THE DESIGNATION OF A PREFERRED SITE FOR A LOW-LEVEL RADIOACTIVE WASTE DISPOSAL FACILITY IN THIS STATE.

On motion of Representative Dawkins, consideration of the bill is postponed until May 14.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 343, A BILL TO BE ENTITLED AN ACT AMENDING THE ALCOHOLIC BEVERAGE CONTROL LAWS, is read the first time and referred to the Committee on Judiciary III.

S.B. 498, A BILL TO BE ENTITLED AN ACT TO MERGE THE EDGECOMBE COUNTY AND TARBORO CITY SCHOOL ADMINISTRATIVE UNITS, is read the first time and referred to the Committee on Education.

S.B. 622, A BILL TO BE ENTITLED AN ACT AUTHORIZING ORANGE COUNTY TO LEVY AN OCCUPANCY TAX AND CHAPEL HILL AND CARRBORO TO INCREASE THEIR MOTOR VEHICLE TAXES, is read the first time and referred to the Committee on Finance.

Committee Substitute for **S.B. 722, A BILL TO BE ENTITLED AN ACT TO EXPAND THE JURISDICTION OF THE LEGISLATIVE ETHICS COMMITTEE**, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 58, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE QUALIFIED DENTISTS TO ADMINISTER GENERAL ANESTHESIA**, is read the first time and referred to the Committee on Human Resources.

S.B. 244, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM IN NOVEMBER 1992 TO AMEND THE CONSTITUTION TO PROVIDE FOR A GUBERNATORIAL VETO REQUIRING A THREE-FIFTHS VOTE TO OVERRIDE, is read the first time and referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

S.B. 257, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HUMAN RESOURCES TO ISSUE PROVISIONAL LICENSES FOR DOMICILIARY HOMES AND TO ESTABLISH CERTAIN APPEALS TIME LIMITS, is read the first time and referred to the Committee on Human Resources.

S.B. 273, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA STATE FIREMEN'S ASSOCIATION TO CHANGE ITS NAME AND TO HOLD PROPERTY WITH A VALUE IN EXCESS OF FORTY THOUSAND DOLLARS, is read the first time and referred to the Committee on Judiciary III.

Committee Substitute for S.B. 356, A BILL TO BE ENTITLED AN ACT TO MODIFY PENALTIES FOR VIOLATIONS OF THE COMMUNICABLE DISEASE LAW, is read the first time and referred to the Committee on Human Resources.

S.B. 372, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW RELATING TO EXEMPTIONS TO CONFIDENTIALITY OF MENTAL HEALTH CLIENTS' RECORDS, is read the first time and referred to the Committee on Human Resources.

S.B. 376, A BILL TO BE ENTITLED AN ACT ADOPTING THE RECOMMENDATIONS OF THE MENTAL HEALTH STUDY COMMISSION CONCERNING MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE SERVICES IN JAILS, is read the first time and referred to the Committee on Human Resources.

S.B. 462, A BILL TO BE ENTITLED AN ACT TO ADD AN INDIAN MEMBER FROM THE MEHERRIN TRIBE TO THE COMMISSION ON INDIAN AFFAIRS AND TO MAKE CERTAIN TECHNICAL CHANGES, is read the first time and referred to the Committee on State Government.

S.B. 470, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MAGISTRATES TO ISSUE CUSTODY ORDERS FOR TRANSPORTATION OF CLIENTS BETWEEN TWENTY-FOUR-HOUR FACILITIES, is read the first time and referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

S.B. 506, A BILL TO BE ENTITLED AN ACT TO ADOPT OAK RIDGE MILITARY ACADEMY AS THE OFFICIAL STATE MILITARY ACADEMY, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 639, A BILL TO BE ENTITLED AN ACT TO MAKE IT CLEAR THAT A POWER OF SALE INCLUDED IN A LEASEHOLD MORTGAGE OR LEASEHOLD DEED OF TRUST IS

ENFORCEABLE, is read the first time and referred to the Committee on Judiciary I.

S.B. 660, A BILL TO BE ENTITLED AN ACT TO REPEAL THE BOAT HULL ANTI-COPYING ACT, is read the first time and referred to the Committee on Judiciary II.

S.B. 664, A BILL TO BE ENTITLED AN ACT TO INCREASE THE JURISDICTION OF MAGISTRATES AND CLERKS OF A COURT IN WORTHLESS CHECK CASES, is read the first time and referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

S.B. 680, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AGE LIMITATIONS FOR SERVICE AS A JUSTICE OR JUDGE OF THE APPELLATE DIVISION OF THE GENERAL COURT OF JUSTICE, is read the first time and referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

Committee Substitute for **S.B. 705, A BILL TO BE ENTITLED AN ACT TO RAISE THE LEVEL OF EXPENDITURE ON PUBLIC BUILDING PROJECTS ON WHICH INFORMAL COMPETITIVE BID PROCEDURES MAY BE USED**, is read the first time and referred to the Committee on State Government.

S.B. 741, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REVOCATION OF UNRECORDED DURABLE POWERS OF ATTORNEY AND TO PROVIDE FOR PROOF OF EFFECTIVENESS OF A DURABLE POWER OF ATTORNEY BY AFFIDAVIT OF ATTORNEY-IN-FACT, is read the first time and referred to the Committee on Judiciary II.

S.B. 765, A BILL TO BE ENTITLED AN ACT TO LIMIT THE USE OF STATE FUNDS BY LEGAL AID SERVICES, is read the first time and referred to the Committee on Judiciary I.

CALENDAR (continued)

Committee Substitute No. 2 for **H.B. 25, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ESTABLISH A COMMUNITY SERVICE PROGRAM; AND TO REQUIRE THAT COMMUNITY SERVICE SHALL BE PERFORMED IN EXCHANGE FOR REMITTED FINES**, passes its second reading, by electronic vote (72-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 924, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ISSUANCE OF CERTAIN PERMITS TO EMIT AIR CONTAMINANTS UNTIL EACH LOCAL GOVERNMENT HAVING JURISDICTION STATES THAT THE PROPOSED FACILITY IS CONSISTENT WITH LOCAL LAND-USE PLANS IF IT HAS SUCH A PLAN**, passes its second reading, by electronic vote (80-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Greenwood for the Committee on Pensions and Retirement:

H.B. 691, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CITY OF SALISBURY'S LOCAL MODIFICATIONS TO G.S. 58-84-30 AND G.S. 58-84-35, with a favorable report.

H.B. 901, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF COUNTIES AND CITIES TO PROVIDE DEFERRED COMPENSATION BENEFITS TO EMPLOYEES, with a favorable report.

SUBCOMMITTEE REFERRAL

Representative James, Chairman for the Standing Committee on Agriculture, refers:

H.B. 231, A BILL TO BE ENTITLED AN ACT TO BAND THE SALE OR USE OF PESTICIDES CONTAINING ARSENIC COMPOUNDS, to the Permanent Subcommittee on Forestry, Horticulture and Wildlife.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Jarrell for the Permanent Subcommittee on Airports, Railways and Waterways of the Standing Committee on Transportation, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 1065, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BOATING SAFETY EDUCATION REQUIREMENT, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

Committee Substitute for **H.B. 1124**, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, passes its second reading, by electronic vote (82-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 1106**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE JURISDICTION OF THE

LEGISLATIVE ETHICS COMMITTEE, passes its second reading, by electronic vote (90-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 1068**, A BILL TO BE ENTITLED AN ACT TO PROTECT THE PUBLIC HEALTH BY REQUIRING THAT LOW-LEVEL RADIOACTIVE WASTE WITH LEVELS OF RADIATION BELOW THAT REGULATED BY THE FEDERAL GOVERNMENT BE TREATED, RECYCLED, STORED, OR DISPOSED OF AT A LOW-LEVEL RADIOACTIVE WASTE DISPOSAL FACILITY LICENSED PURSUANT TO CHAPTER 104E OF THE GENERAL STATUTES, passes its second reading, by electronic vote (92-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 307, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING SCHOLARSHIPS FOR CHILDREN OF WAR VETERANS TO INCLUDE CHILDREN OF PERSIAN GULF VETERANS AND TO MAKE TECHNICAL CHANGES, passes its second reading, by electronic vote (95-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of the Chair, the House recesses at 10:00 a.m.

RECESS

The House meets at 11:00 a.m. pursuant to recess and is called to order by the Speaker.

CALENDAR (continued)

H.B. 386, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS RELATING TO AERONAUTICS, passes its second reading, by electronic vote (70-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 996, A BILL TO BE ENTITLED AN ACT TO COORDINATE THE EFFECTIVE DATE OF CHANGED STATE MEDICAID REIMBURSEMENT AMOUNTS WITH THE DATE FOR WHICH THE CHANGE IS APPROVED BY FEDERAL ADMINISTRATION, passes its second reading, by electronic vote (74-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 708, A BILL TO BE ENTITLED AN ACT TO AMEND THE DATE OF PERFECTION FOR MOTOR VEHICLE LIENS.

On motion of Representative R. Hunter, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 895, A BILL TO BE ENTITLED AN ACT TO ESTABLISH RETAIL PRICE TO BE PAID FOR WARRANTY WORK PERFORMED BY MOTOR VEHICLE DEALERS.

Representative Fletcher offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (90-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 281, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ACQUIRE PROPERTY FOR NEW RAILROAD CORRIDORS AND TO ENTER INSTALLMENT CONTRACTS FOR THE PURCHASE OF RAILROAD CORRIDORS AND OTHER RAIL PROPERTY, passes its second reading, by electronic vote (89-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 516, A BILL TO BE ENTITLED AN ACT REQUIRING TRAFFIC SIGNS AND OTHER TRAFFIC CONTROL DEVICES ON ALL HIGHWAYS AND PUBLIC VEHICULAR AREAS TO CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.

On motion of Representative Stamey, consideration of the bill is postponed until May 14.

H.B. 495, A BILL TO BE ENTITLED AN ACT REGARDING THE DEVELOPMENT OF DUAL PERSONNEL EVALUATION PROCESSES FOR THE PUBLIC SCHOOLS, passes its second reading, by electronic vote (89-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H.B. 89, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REGISTRATION, IDENTIFICATION, AND REPORTING REQUIREMENTS FOR LOBBYISTS AND THEIR PRINCIPALS; TO PROHIBIT CAMPAIGN FUND-RAISING FROM LOBBYISTS FOR LEGISLATORS AND COUNCIL OF STATE MEMBERS WHILE THE GENERAL ASSEMBLY IS IN REGULAR SESSION; AND TO REQUIRE A ONE-YEAR WAIT AFTER THEY LEAVE OFFICE BEFORE LOBBYING MAY BE DONE BY FORMER MEMBERS AND PRESIDING OFFICERS OF THE GENERAL ASSEMBLY, FORMER COUNCIL OF STATE MEMBERS, AND FORMER CABINET SECRETARIES.

On motion of Representative Jones, consideration of the bill is postponed until May 13.

H.B. 436, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALL STATE CERTIFIED LAW ENFORCEMENT OFFICERS TO ARREST FOR DRUG OFFENSES.

Representative Nesbitt moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Appropriations.

Representative Justus moves, seconded by Representative Creech, that the motion to withdraw the bill from the Calendar and re-refer to the Committee on Appropriations do lie upon the table. A division having been called, the motion fails by electronic vote (32-64).

The motion before the House is the motion to withdraw the bill from the Calendar and re-refer to the Committee on Appropriations. This motion carries.

H.B. 350, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING THE EMPLOYMENT OF THE EXECUTIVE DIRECTOR OF THE COMMISSION OF INDIAN AFFAIRS, passes its second reading, by electronic vote (73-23), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Black for the Permanent Subcommittee on Community Colleges of the Standing Committee on Education, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 1063, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN IMMIGRANTS BE TREATED AS STATE RESIDENTS FOR COMMUNITY COLLEGE TUITION PURPOSES, with a favorable report, and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Kennedy for the Permanent Subcommittee on Labor Relations and Employment:

H.B. 519, A BILL TO BE ENTITLED AN ACT REQUIRING EMPLOYERS TO REIMBURSE EMPLOYMENT AGENCY FEES UNDER CERTAIN CIRCUMSTANCES, reported to the Standing Committee on Economic Expansion, with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lutz for the Committee on Local and Regional Government II:

H.B. 586, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CASWELL BEACH TO ASSESS BENEFITED PROPERTY FOR UNDERGROUNDING OF UTILITIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 14. The original bill is placed on the Unfavorable Calendar.

H.B. 686, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF WALNUT COVE, with a favorable report.

By Representative Judy Hunt for the Committee on Public Utilities:

H.B. 713, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DISTRICT BOARD OF A METROPOLITAN SEWERAGE DISTRICT MAY APPOINT AN ASSISTANT SECRETARY AND AN ASSISTANT TREASURER, with a favorable report.

H.B. 715, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ALL WATER SYSTEMS PROVIDE HYDRANTS AT NO MORE THAN ONE THOUSAND FOOT INTERVALS TO PROVIDE FOR ADEQUATE FIRE PROTECTION, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

S.B. 551, A BILL TO BE ENTITLED AN ACT TO PERMIT THE UTILITIES COMMISSION TO EXEMPT CELLULAR FROM REGULATION UNDER CHAPTER 62, with a favorable report.

On motion of Representative Miller, the rules are suspended and the bill is placed on today's Calendar.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Church for the Permanent Subcommittee on Highways:

H.B. 376, A BILL TO BE ENTITLED AN ACT REGARDING MOTOR VEHICLE INSPECTION REQUIREMENTS AND INSPECTION FEES, reported to the Standing Committee on Transportation, with an indefinite postponement report.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Ramsey for the Committee on Public Employees:

H.B. 1014, A BILL TO BE ENTITLED AN ACT TO RESTORE THE TRADITIONAL CHRISTMAS HOLIDAY SCHEDULE TO STATE EMPLOYEES, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

CALENDAR (continued)

H.B. 441, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TWO AWARDS FOR PREEMINENT ACCOMPLISHMENT MAY BE MADE TO NATIVE-BORN NORTH CAROLINIANS RESIDING OUTSIDE THE STATE, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 512, A BILL TO BE ENTITLED AN ACT TO RATIFY THE PROCEDURE FOR APPOINTING THE MEMBERS OF THE SEDIMENTATION CONTROL COMMISSION IN ACCORDANCE WITH AN OPINION OF THE ATTORNEY GENERAL DATED JULY 10, 1974, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 922, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A MOTOR VEHICLE LIABILITY POLICY SHALL REQUIRE THAT THE LIENHOLDER BE NOTIFIED OF SETTLEMENT OF AN INSURED'S PROPERTY CLAIMS.

On motion of Representative Fletcher, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 407, A BILL TO BE ENTITLED AN ACT TO CONTINUE PERIODIC REVIEW OF ELECTRIC UTILITY FUEL COSTS.

On motion of Representative Miller, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (96-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Hardaway for the Committee on Commerce:

H.B. 53, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ASSUMPTION FEES IN CONNECTION WITH CERTAIN REAL ESTATE LOANS, with an unfavorable report.

H.B. 155, A BILL TO BE ENTITLED AN ACT TO MODIFY FINANCE CHARGE RATES FOR REVOLVING CHARGE ACCOUNT CONTRACTS, with an unfavorable report.

H.B. 242, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CREDIT CARD BANKS, TO AMEND THE RATE OF INTEREST AND FEES APPLICABLE TO CREDIT CARD ACCOUNTS, OPEN-END CREDIT, AND REVOLVING CHARGE ACCOUNTS, with an unfavorable report.

H.B. 869, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN LOAN AND APPRAISAL FEES AND TO AMEND THE USURY LAWS APPLICABLE TO COMMERCIAL LOANS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 14. The original bill is placed on the Unfavorable Calendar.

H.B. 912, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES TO VACATE AND CLOSE CERTAIN DWELLINGS FOUND TO BE IN VIOLATION OF THE MINIMUM HOUSING CODE, with a favorable report.

H.B. 991, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIAL RULES FOR INTERNATIONAL COMMERCIAL ARBITRATIONS, with a favorable report, as amended.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative J. W. Crawford for the Permanent Subcommittee on Water, Air and Soil of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 124, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES PREPARE A WATER RESOURCES DEVELOPMENT PROJECTS PLAN AND TO PROVIDE THAT THE DIRECTOR OF THE BUDGET REVIEW THE PLAN AND ADOPT A WATER RESOURCES DEVELOPMENT PROGRAM, with a favorable report.

H.B. 1007, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE RECYCLING AND DISCOURAGE LITTERING BY REQUIRING A DEPOSIT ON GLASS AND PLASTIC BEVERAGE CONTAINERS AND REQUIRING DEALERS AND REDEMPTION CENTERS TO ACCEPT RETURNED GLASS AND PLASTIC CONTAINERS AND REFUND THE DEPOSITS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 14. The original bill is placed on the Unfavorable Calendar.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Hasty for the Committee on Economic Expansion:

H.B. 519, A BILL TO BE ENTITLED AN ACT REQUIRING EMPLOYERS TO REIMBURSE EMPLOYMENT AGENCY FEES UNDER CERTAIN CIRCUMSTANCES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 14. The original bill is placed on the Unfavorable Calendar.

By Representative Kennedy for the Committee on Judiciary I:

H.B. 352, A BILL TO BE ENTITLED AN ACT TO LIMIT THE NORTH CAROLINA CHILDHOOD VACCINE-RELATED INJURY PROGRAM TO CLAIMANTS WHO ARE PERMITTED BY FEDERAL LAW TO BRING A CIVIL ACTION FOR DAMAGES FOR VACCINE-RELATED INJURY OR DEATH, with a favorable report.

H.B. 598, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS, TO PROHIBIT HUNTING ON ANOTHER'S LAND WITHOUT PERMISSION, AND TO REGULATE HUNTING WITH CENTER FIRE RIFLES IN PASQUOTANK COUNTY, with a favorable report.

H.B. 616, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR THE CHANGING OF A CHILD'S NAME BY PETITION NOT MORE THAN TWO TIMES UNDER CERTAIN CIRCUMSTANCES, with a favorable report.

H.B. 832, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF A FIREARM WHILE UNDER THE INFLUENCE OF ALCOHOL OR ANY OTHER IMPAIRING SUBSTANCE, with a favorable report.

H.B. 1005, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DEATH PENALTY FOR MENTALLY RETARDED PERSONS, with a favorable report, as amended.

On motion of Representative Justus, Committee Amendment No. 1 is adopted.

On motion of Representative Fitch, the bill is ordered engrossed and re-referred to the Committee on Appropriations.

H.B. 1123, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IT IS FIRST-DEGREE MURDER TO KILL A LAW ENFORCEMENT OFFICER, with a favorable report.

CALENDAR (continued)

H.B. 636, A BILL TO BE ENTITLED AN ACT TO PERMIT THE UTILITIES COMMISSION TO EXEMPT CELLULAR FROM REGULATION UNDER CHAPTER 62.

On motion of Representative Miller, consideration of the bill is temporarily displaced in order that S.B. 551 may be considered at this time.

S.B. 551, A BILL TO BE ENTITLED AN ACT TO PERMIT THE UTILITIES COMMISSION TO EXEMPT CELLULAR FROM REGULATION UNDER CHAPTER 62, passes its second reading, by electronic vote (92-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

On motion of Representative Miller, consideration of **H.B. 636** is postponed until May 13.

VOTE RECONSIDERED

Representative Brawley, having voted with the prevailing side, moves that the vote by which Committee Substitute for **H.B. 989, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SEPARATE ABC PERMIT FOR HOTELS CHOOSING TO OFFER ALCOHOLIC BEVERAGE SALES FROM LOCKED CABINETS IN GUEST ROOMS,** failed to pass its second reading on May 9 be reconsidered. A division having been called, this motion carries by electronic vote (51-42).

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Barnes, Barnhill, Bowen, Bowie, Church, Colton, N. J. Crawford, Culp, Cunningham, DeVane, Easterling, Esposito, Fitch, Fussell, Gamble, Gist, Gottovi, Grady, Greenwood, Hackney, Hardaway, Hensley, Hightower, Holt, Judy Hunt, H. Hunter, Isenhower, Jarrell, Jeffus, Jerald, Jordan, Kennedy, Kimsey, Loflin, Luebke, McAllister, Mavretic, Michaux, Miller, Morgan, Nesbitt, Pope, Redwine, Robinson, Stewart, Thompson, Wainwright, Wicker, and Withrow - 49.

Voting in the negative: Representatives Abernethy, Albertson, Anderson, Balmer, Beall, Beard, Brawley, Brown, Buchanan, Chapin, J. W. Crawford, Creech, Dawkins, Decker, Dockham, Ethridge, Fletcher, Foster, Gardner, Hege, Holmes, Howard, Huffman, Justice, Lewis, Ligon, Lilley, Lutz, McGee, Mercer, Nye, Privette, Ramsey, Rhyne, Rogers, Russell, Tallent, Warner, Wilson, Wood, and Woodard - 41.

Excused absences: Representatives Brubaker, Gray, Green, Grimmer, Sam Hunt, James, Lineberry, Rhodes, and Smith - 9.

CALENDAR (continued)

H.B. 241, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE NORTH CAROLINA EDUCATION COUNCIL, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 595, A BILL TO BE ENTITLED AN ACT TO ADD AN INDIAN MEMBER FROM THE MEHERRIN TRIBE TO THE COM-

MISSION ON INDIAN AFFAIRS AND TO MAKE CERTAIN TECHNICAL CHANGES.

On motion of Representative Mercer, Committee Amendment No. 1 fails of adoption by electronic vote (2-96).

The bill passes its second reading, by electronic vote (95-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Thompson for the Permanent Subcommittee on Solid Waste of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 1109, A BILL TO BE ENTITLED AN ACT TO IMPROVE AND REFINE THE SOLID WASTE MANAGEMENT LAWS REGARDING THE STATE SOLID WASTE GOAL AND CERTAIN OTHER MATTERS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 14. The original bill is placed on the Unfavorable Calendar.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Jeralds for the Committee on Human Resources:

H.B. 970, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT FOR PHYSICIANS TO OBTAIN A PHARMACY PERMIT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

S.B. 80, A BILL TO BE ENTITLED AN ACT TO AMEND THE HOME HEALTH AGENCY LICENSURE ACT, with an indefinite postponement report.

S.B. 164, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT DOMICILIARY HOME COST REPORTS BE CERTIFIED, with a favorable report.

On motion of Representative Jack Hunt, seconded by Representative Hensley, the House adjourns at 1:23 p.m. to reconvene Monday, May 13 at 5:00 p.m.

SIXTY-THIRD DAY**HOUSE OF REPRESENTATIVES**

Monday, May 13, 1991

The House meets at 5:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of May 10 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (80-0).

Leaves of absence are granted Representatives Barbee and Thompson for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Greenwood for the Committee on Pensions and Retirement:

H.B. 699, A BILL TO BE ENTITLED AN ACT TO AMEND THE FAYETTEVILLE CITY CHARTER RELATING TO THE FAYETTEVILLE SUPPLEMENTAL FIREMEN'S FUND, with a favorable report.

By Representative Michaux for the Committee on Courts, Justice, Constitutional Amendments and Referenda:

H.B. 341, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA RACING COMMISSION AND TO PROVIDE FUNDS FOR AGRICULTURAL RESEARCH AND DEVELOPMENT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Ramsey for the Committee on Public Employees:

H.B. 959, A BILL TO BE ENTITLED AN ACT CONCERNING REQUIRED TRAINING OF SUPERVISORS EMPLOYED BY THE STATE WITHIN THE FIRST YEAR OF APPOINTMENT OR PROMOTION, with a favorable report, as amended.

H.B. 1006, A BILL TO BE ENTITLED AN ACT TO MAINTAIN AND STRENGTHEN THE CURRENT ADMINISTRATION OF STATE GOVERNMENT'S EQUAL EMPLOYMENT OPPORTUNITY PROGRAM, with a favorable report, as amended.

By Representative Barnes for the Committee on Education:

H.B. 828, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REQUIRING TEACHER AND ADMINISTRATOR INVOLVEMENT IN THE DEVELOPMENT OF LOCAL SCHOOL IMPROVEMENT PLANS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 15. The original bill is placed on the Unfavorable Calendar.

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

S.J.R. 593, A JOINT RESOLUTION SETTING THE DATE FOR THE SENATE AND HOUSE OF REPRESENTATIVES TO ELECT MEMBERS OF THE STATE BOARD OF COMMUNITY COLLEGES, with a favorable report.

By Representative Hardaway for the Committee on Commerce:

H.B. 1037, A BILL TO BE ENTITLED AN ACT TO REFORM THE SMALL EMPLOYER GROUP HEALTH INSURANCE MARKETPLACE IN THE STATE OF NORTH CAROLINA, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Jones for the Permanent Subcommittee on Children, Youth and Families of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 1062, A BILL TO BE ENTITLED AN ACT TO PHASE IN CHANGES TO STAFF-CHILD RATIOS AND GROUP SIZES IN CHILD DAY CARE FACILITIES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 15. The original bill is placed on the Unfavorable Calendar.

By Representative Jones for the Permanent Subcommittee on Children, Youth and Families:

H.B. 1127, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE IDENTIFICATION OF THE FATHER OF ANY CHILD ELIGIBLE FOR PUBLIC ASSISTANCE, reported to the Standing Committee on Human Resources, with an unfavorable recommendation.

By Representative Barnhill for the Permanent Subcommittee on Health and Mental Health of the Standing Committee on Human

Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 498, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE QUALIFICATIONS FOR THE POSITION OF LOCAL HEALTH DIRECTOR, AND TO ESTABLISH A HEALTH DIRECTOR QUALIFICATION REVIEW COMMITTEE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 15. The original bill is placed on the Unfavorable Calendar.

H.B. 588, A BILL TO BE ENTITLED AN ACT TO REQUIRE HOSPITALS TO ITEMIZE CHARGES ON DISCHARGED PATIENT'S BILL, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 15. The original bill is placed on the Unfavorable Calendar.

H.B. 627, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE APPOINTMENT OF PUBLIC MEMBERS TO THE HEALTH SERVICES COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 15. The original bill is placed on the Unfavorable Calendar.

H.B. 724, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW PERTAINING TO IMMUNIZATION REQUIREMENTS, with a favorable report.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 642, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL ISSUE RULES GOVERNING THE ISSUANCE OF SPECIAL PERMITS FOR VEHICLES OF EXCESSIVE SIZE, WEIGHT, OR NUMBER OF UNITS, is read the first time and referred to the Committee on Transportation.

S.B. 778, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING THE EXECUTION OF CORPORATE INSTRUMENTS, is read the first time and referred to the Committee on Judiciary III.

S.B. 817, A BILL TO BE ENTITLED AN ACT TO PROTECT BONA FIDE PURCHASERS FOR VALUE OF REAL PROPERTY AGAINST JUDGMENTS MORE THAN TEN YEARS OLD THAT ARE TOLLED FOR THE PERIOD OF EXEMPTION BY REQUIRING THE ORDER DESIGNATING EXEMPT PROPERTY TO BE FILED IN THE REGISTER OF DEEDS OFFICE, is read the first time and referred to the Committee on Judiciary III.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 551, AN ACT TO PERMIT THE UTILITIES COMMISSION TO EXEMPT CELLULAR FROM REGULATION UNDER CHAPTER 62. (CHAPTER 82)

S.B. 829, AN ACT CONCERNING THE STATE BOARD OF COMMUNITY COLLEGES. (CHAPTER 83)

H.B. 569, AN ACT TO REGULATE PERSONNEL RECORDS OF COMMUNITY COLLEGE SYSTEM EMPLOYEES AND RELATED MATTERS. (CHAPTER 84)

H.B. 932, AN ACT TO ADOPT THE CAROLINA TARTAN AS THE OFFICIAL SCOTTISH TARTAN OF THE STATE OF NORTH CAROLINA. (CHAPTER 85)

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 777, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF RALEIGH.**

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Beard, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, Dial, Diamont, Dockham, Easterling, Esposito, Foster, Fussell, Gardner, Gottovi, Grady, Hackney, Hege, Holt, Howard, Judy Hunt, Hurley, Isenhower, James, Jarrell, Jones, Justus, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Ramsey, Rhodes, Rhyne, Russell, Smith, Stamey, Stewart, Tallent, Warner, Wilmoth, Wilson, Withrow, and Woodard - 73.

Voting in the negative: None.

Excused absences: Representatives Barbee, Colton, and Thompson - 3.

Committee Substitute for **II.B. 733, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF CONCORD AND KANNAPOLIS AND THE COUNTY OF CABARRUS TO TAKE INTO CONSIDERATION PROSPECTIVE REVENUES GENERATED BY THE DEVELOPMENT IN ARRIVING AT THE AMOUNT OF CONSIDERATION FOR AN ECONOMIC DEVELOPMENT CONVEYANCE,** passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 795, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PERMITTING ELECTROFISHING FOR CATFISH IN PORTIONS OF SAMPSON, PENDER, AND**

BLADEN COUNTIES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 801**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATUTORY AUTHORITY OF STANLY COUNTY TO REGULATE THE SUBDIVISION OF LAND, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 691, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CITY OF SALISBURY'S LOCAL MODIFICATIONS TO G.S. 58-84-30 AND G.S. 58-84-35, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 686, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF WALNUT COVE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 598, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS, TO PROHIBIT HUNTING ON ANOTHER'S LAND WITHOUT PERMISSION, AND TO REGULATE HUNTING WITH CENTER FIRE RIFLES IN PASQUOTANK COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 989**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SEPARATE ABC PERMIT FOR HOTELS CHOOSING TO OFFER ALCOHOLIC BEVERAGE SALES FROM LOCKED CABINETS IN GUEST ROOMS, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Barnhill, Beard, Bowen, Bowie, Brubaker, N. J. Crawford, Culp, Cunningham, Decker, DeVane, Dial, Easterling, Esposito, Fussell, Gamble, Gottovi, Grady, Gray, Greenwood, Hackney, Hardaway, Hasty, Holt, Judy Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Kennedy, Kimsey, Lineberry, Loflin, McAllister, McGee, McLawhorn, Michaux, Miller, Morgan, Nesbitt, Oldham, Pope, Rhodes, Rhyne, Smith, Stamey, Stewart, Wilmoth, and Withrow - 51.

Voting in the negative: Representatives Anderson, Balmer, Beall, Bowman, Brawley, Brown, Buchanan, Chapin, Dawkins, Diamont, Dockham, Foster, Gardner, Hege, Howard, Lewis, Ligon, Lilley, Lutz, McLaughlin, Mercer, Nye, Rogers, Russell, Tallent, Warner, Wilson, and Woodard - 28.

Excused absences: Representatives Barbee, Colton, and Thompson - 3.

H.B. 874, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE LAW REGARDING THE TAKING UP OF STRAY LIVESTOCK AND TO CONFORM THAT LAW WITH THE LAW REGARDING THE TAKING UP OF LIVESTOCK RUNNING AT LARGE, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barnhill, Beard, Bowen, Bowie, Brawley, Brown, Brubaker, Buchanan, Chapin, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dockham, Easterling, Esposito, Fletcher, Foster, Fussell, Gardner, Gottovi, Grady, Gray, Hardaway, Hasty, Hege, Howard, Judy Hunt, Hurley, Isenhower, Jarrell, Jones, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, McAllister, McGee, McLaughlin, Michaux, Miller, Morgan, Nesbitt, Nye, Pope, Rhodes, Rhyne, Russell, Smith, Stamey, Stewart, Tallent, Warner, Withrow, and Woodard - 65.

Voting in the negative: Representatives Anderson, Jack Hunt, James, Lutz, and McLawhorn - 5.

Excused absences: Representatives Barbee, Colton, and Thompson - 3.

H.B. 1146, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXAMINATION FEE FOR LANDSCAPE CONTRACTOR LICENSE APPLICANTS, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Barnhill, Beall, Beard, Bowen, Bowie, Brawley, Brown, Brubaker, Buchanan, Chapin, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dockham, Easterling, Esposito, Ethridge, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Greenwood, Hardaway, Hasty, Hege, Holt, Howard, Judy Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Russell, Stamey, Stewart, Tallent, Warner, Wilmoth, Wilson, Withrow, and Woodard - 79.

Voting in the negative: Representative Balmer.

Excused absences: Representatives Barbee, Colton, and Thompson - 3.

Committee Substitute No. 2 for **H.B. 37, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A HOMEOWNERS RECOVERY FUND UNDER THE SUPERVISION OF THE GENERAL CONTRACTORS LICENSING BOARD**, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brown, Brubaker, Buchanan, Chapin, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Greenwood, Hardaway, Hasty, Hege, Hightower, Holt, Howard, Judy Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Ramsey, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Warner, Wilmoth, Wilson, Withrow, and Woodard - 83.

Voting in the negative: Representatives Balmer, Brawley, and Loflin - 3.

Excused absences: Representatives Barbee, Colton, and Thompson - 3.

Committee Substitute for **H.B. 77, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE MEMBERSHIP OF THE STATE BOARD OF EDUCATION AND TO MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION THE CHAIRMAN OF THE STATE BOARD OF EDUCATION**.

On motion of Representative J. W. Crawford, consideration of the bill is postponed until May 14.

SUBCOMMITTEE REFERRALS

Representative Hasty, Chairman for the Standing Committee on Economic Expansion, refers:

S.B. 724, A BILL TO BE ENTITLED AN ACT AMENDING THE UNEMPLOYMENT INSURANCE LAW TO ADD THE DEFINITION OF "EXTENDED BASE PERIOD, to the Permanent Subcommittee on Labor Relations and Employment.

S.B. 769, A BILL TO BE ENTITLED AN ACT TO ASSURE THAT THE NORTH CAROLINA WORKERS' COMPENSATION ACT EXTENDS TO INJURIES OUTSIDE THE STATE FOR EMPLOYEES WHOSE PRINCIPAL PLACE OF EMPLOYMENT IS IN NORTH CAROLINA, to the Permanent Subcommittee on Labor Relations and Employment.

CALENDAR (continued)

H.B. 418, A BILL TO BE ENTITLED AN ACT TO CODIFY THE COMMON LAW IN RESOLVING INCONSISTENCIES BETWEEN

G.S. 8-83 AND G.S. 1A-1, RULE 32 REGARDING THE ADMISSION OF DEPOSITIONS AT TRIAL AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (83-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 599**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE PUBLIC SCHOOL TENURE LAW.

Representative Albertson offers Amendment No. 1.

Representative Albertson calls the previous question on the amendment and the call is sustained.

Amendment No. 1 fails of adoption by electronic vote (40-71).

The bill passes its second reading, by electronic vote (107-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 942**, A BILL TO BE ENTITLED AN ACT TO PROVIDE PRIORITY CONSIDERATION TO STATE EMPLOYEES WHO RECEIVE REDUCTION IN FORCE NOTIFICATION, passes its second reading, by electronic vote (105-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 984, A BILL TO BE ENTITLED AN ACT TO ADOPT A COMPARATIVE FAULT SYSTEM.

On motion of Representative Payne, consideration of the bill is postponed until May 15.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Warner for the Permanent Subcommittee on University Education and Affairs of the Standing Committee on Education, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 993, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE MEMBERSHIP OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Representative Warner moves that the rules be suspended and the bill placed on the Calendar for May 14. This motion fails.

The committee substitute bill is placed on the Calendar for May 15. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

Committee Substitute for **H.B. 412**, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE RECYCLING OF HAZARDOUS WASTE, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 826**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE REQUIRED MINIMUM FINANCIAL RESPONSIBILITY FOR PROPERTY DAMAGE AND TO INCREASE OTHER AMOUNTS IN THE MOTOR VEHICLES LAWS THAT ARE DEPENDENT UPON THE AMOUNT OF REQUIRED MINIMUM FINANCIAL RESPONSIBILITY FOR PROPERTY DAMAGE, passes its second reading, by electronic vote (93-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 897**, A BILL TO BE ENTITLED AN ACT TO LIMIT REFERRALS OF PROPERTY DAMAGE REPAIR WORK BY ADJUSTERS AND AGENTS, passes its second reading, by electronic vote (89-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 918**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PERMISSIBLE ACTIVITIES OF INSURANCE AGENCY OFFICE EMPLOYEES, passes its second reading, by electronic vote (70-22).

Representative Redwine objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 131**, A BILL TO BE ENTITLED AN ACT REQUIRING THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO REPORT ON ITS PROGRESS IN ADOPTING STANDARDS TO CREATE AND ENHANCE AN ORGANIZED PROGRAM OF PUBLIC SERVICE AND TECHNICAL ASSISTANCE TO THE PUBLIC SCHOOLS, passes its second reading, by electronic vote (86-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Dawkins for the Committee on Judiciary II:

H.B. 158, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN AUTOMATIC 45 DAY DRIVERS LICENSE REVOCATION FOR ANY PERSON 18 TO 21 YEARS OF AGE WHO IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE AND HAS ANY ALCOHOL IN HIS BLOOD, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 15. The original bill is placed on the Unfavorable Calendar.

H.B. 283, A BILL TO BE ENTITLED AN ACT TO RAISE THE MAXIMUM FEES FOR MEDICAL EXAMINER SERVICES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 15. The original bill is placed on the Unfavorable Calendar.

H.B. 552, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SUSPENSION OR REVOCATION OF PROFESSIONAL AND OCCUPATIONAL LICENSES OR CERTIFICATIONS OF A DEFENDANT CONVICTED OF A STATE OR FEDERAL DRUG OFFENSE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 15. The original bill is placed on the Unfavorable Calendar.

H.B. 606, A BILL TO BE ENTITLED AN ACT TO ENABLE NORTH CAROLINA TO JOIN THE DRIVER LICENSE COMPACT, with a favorable report.

H.B. 838, A BILL TO BE ENTITLED AN ACT TO MAKE THE DESTRUCTION OF ANY CROP, PASTURE, OR PROVENDER A FELONY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 15. The original bill is placed on the Unfavorable Calendar.

H.B. 850, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE LAND RECORDS MANAGEMENT PROGRAM TO ADOPT RULES SPECIFYING MINIMUM STANDARDS AND PROCEDURES IN LAND RECORDS MANAGEMENT AND TO REQUIRE REGISTER OF DEEDS OFFICES TO COMPLY WITH THOSE STANDARDS AND PROCEDURES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 15. The original bill is placed on the Unfavorable Calendar.

H.B. 872, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL SERVICES FOR HANDICAPPED PERSONS AT MOTOR FUEL FACILITIES, with a favorable report, as amended.

H.B. 1033, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH RIGHTS FOR VICTIMS OF CRIME, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Appointments and Calendar.

The committee substitute bill is re-referred to the Committee on Rules, Appointments and Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1099, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT EVIDENCE THAT A MOTOR VEHICLE PASSED A STOPPED SCHOOL BUS IS PRIMA FACIE EVIDENCE THAT THE OWNER OF THE VEHICLE WAS OPERATING IT AT THE TIME OF THE VIOLATION, with a favorable report.

H.B. 1104, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF JUSTICE MAY PROVIDE A CRIMINAL RECORD CHECK TO THE EMPLOYER OF A SCHOOL EMPLOYEE OR POTENTIAL EMPLOYEE WITH THE CONSENT OF THE EMPLOYEE OR APPLICANT, with a favorable report.

On motion of Representative Dawkins, the bill is re-referred to the Committee on Finance.

H.B. 1107, A BILL TO BE ENTITLED AN ACT TO ALLOW DOGS IN HOTEL ROOMS UNDER CERTAIN CIRCUMSTANCES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 15. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Abernethy, **H.B. 163, A BILL TO BE ENTITLED AN ACT TO PROVIDE A TAX CREDIT FOR THE USE OF NORTH CAROLINA PORTS,** is withdrawn from the Calendar for May 16 and placed on the Calendar for May 21.

Representative Justus moves that **H.B. 527, A BILL TO BE ENTITLED AN ACT TO PROVIDE EMERGENCY COMMITMENT OF VIOLENT PERSONS SUFFERING FROM SUBSTANCE ABUSE UNDER THE SAME PROCEDURES AVAILABLE FOR VIOLENT PERSONS WHO ARE MENTALLY ILL, H.B. 936, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR NOTIFICATION TO A DEFENDANT THAT HIS PROBATION PERIOD MAY BE EXTENDED FOR UP TO THREE YEARS IF RESTITUTION IS NOT COMPLETED, and H.B. 526, A BILL TO BE ENTITLED AN ACT TO INCREASE RESTRICTIONS FOR SELLING DRUGS TO YOUTHS WITHIN ONE THOUSAND FEET OF SCHOOL,** be withdrawn from the Committee on Judiciary I. and re-referred to the Committee on Appropriations. This motion fails.

RE-REFERRAL

On motion of Representative Jeralds, the rules are suspended and **H.B. 1108, A BILL TO BE ENTITLED AN ACT TO ENACT THE PUBLIC BATHROOM EQUITY ACT**, is withdrawn from the Permanent Subcommittee on Aging of the Standing Committee on Human Resources and re-referred to the Permanent Subcommittee on Children, Youth and Families of the Standing Committee on Human Resources.

CALENDAR (continued)

Committee Substitute for **H.B. 951, A BILL TO BE ENTITLED AN ACT TO ALLOW A LANDLORD'S WRITTEN, SIGNED STATEMENT OF PAST-DUE RENT, MADE UPON THE TENANT'S REQUEST, TO SERVE AS NOTIFICATION OF EVICTION FOR EMERGENCY ASSISTANCE FROM THE COUNTY DEPARTMENT OF SOCIAL SERVICES**, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.J.R. 919, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WILSON FRANKLIN YARBOROUGH, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY**, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 435, A BILL TO BE ENTITLED AN ACT TO REWRITE AND AMEND THE MOTOR VEHICLE LAWS RELATING TO HANDICAPPED PERSONS**, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Anderson, Balmer, Barnhill, Beall, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Green, Greenwood, Grimmer, Hackney, Hasty, Hege, Hensley, Hightower, Holmes, Howard, Huffman, Jack Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLawhorn, Mavretic, Michaux, Morgan, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Tallent, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 95.

Voting in the negative: None.

Excused absences: Representatives Barbee, Bowen, and Nye - 3.

H.B. 851, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TO THE EXTENT A COUNTY PROVIDES LIABILITY INSURANCE TO COUNTY OFFICERS OR EMPLOYEES IT SHALL PROVIDE LIABILITY INSURANCE TO THE REGISTER OF DEEDS.

Representative Redwine offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (98-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Rogers for the Permanent Subcommittee on Pre-School, Elementary and Secondary Education:

H.B. 47, A BILL TO BE ENTITLED AN ACT SUPPORTING THE EFFORTS OF TEACHERS TO CONTROL THEIR CLASSES AND REQUIRING PARENTS TO ASSIST IN DISCIPLINING THEIR CHILDREN AT SCHOOL, reported to the Standing Committee on Education, with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

H.B. 230, A BILL TO BE ENTITLED AN ACT RELATING TO THE TERMS OF EMPLOYMENT OF SCHOOL BUS DRIVERS, reported to the Standing Committee on Education, with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

By Representative Rogers for the Permanent Subcommittee on Pre-School, Elementary and Secondary Education of the Standing Committee on Education, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 334, A BILL TO BE ENTITLED AN ACT REGARDING ANNUAL VACATION LEAVE FOR TEACHERS, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of Representative Rogers, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Appropriations.

By Representative Rogers for the Permanent Subcommittee on Pre-School, Elementary and Secondary Education:

H.B. 628, A BILL TO BE ENTITLED AN ACT TO LIMIT THE NUMBER OF HOURS THAT YOUTHS ENROLLED IN SCHOOL ARE ALLOWED TO WORK, reported to the Standing Committee on Education, with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

H.B. 749, A BILL TO BE ENTITLED AN ACT TO REQUIRE INSTRUCTION IN THE PUBLIC SCHOOLS REGARDING ABSTINENCE FROM SEXUAL ACTIVITY, reported to the Standing Committee on Education, with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

H.B. 983, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT RULES TO STRENGTHEN THE CONTINUING AND COOPERATIVE RELATIONSHIP BETWEEN SCHOOLS OF EDUCATION AND PUBLIC SCHOOLS, reported to the Standing Committee on Education, with an unfavorable recommendation.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Kennedy for the Committee on Judiciary I:

H.B. 96, A BILL TO BE ENTITLED AN ACT TO MAKE AN ADVANCE DIRECTIVE FOR HEALTH CARE MATTERS AN OPTIONAL PART OF THE "RIGHT TO NATURAL DEATH" LAW, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 15. The original bill is placed on the Unfavorable Calendar.

H.B. 443, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA FRANCHISE INVESTMENT ACT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 590, A BILL TO BE ENTITLED AN ACT TO PROHIBIT OPEN CONTAINERS OF ALCOHOLIC BEVERAGES IN MOTOR VEHICLES EXCEPT FOR MOTOR HOMES AND CERTAIN FOR-HIRE VEHICLES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 15. The original bill is placed on the Unfavorable Calendar.

H.B. 837, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN LAWS PROHIBITING THE USE OF POLITICAL INFLUENCE CONCERNING STATE EMPLOYMENT, with a favorable report.

H.B. 887, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FILING FEE FOR CANDIDATES FOR STATEWIDE AND LEGISLATIVE OFFICES, AND TO OFFER A LOWER FILING FEE FOR CANDIDATES WHO AGREE TO PERSONAL LABELING IN RADIO AND TELEVISION ADS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H.B. 952, A BILL TO BE ENTITLED AN ACT TO BRING CERTAIN SEASONAL FARM WORKERS OF CERTAIN FARM OWNERS, FARM OPERATORS, AND AGRICULTURAL ESTABLISHMENTS WITHIN THE PURVIEW OF THE WORKERS' COMPENSATION ACT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Church for the Permanent Subcommittee on Highways of the Standing Committee on Transportation, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 406, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN TRUCKS REQUIRED TO BE INSPECTED UNDER FEDERAL REGULATIONS FROM HAVING TO ALSO BE INSPECTED UNDER THE STATE INSPECTION PROGRAM, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 15. The original bill is placed on the Unfavorable Calendar.

H.B. 1064, A BILL TO BE ENTITLED AN ACT TO AMEND THE AXLE REQUIREMENTS FOR MOTOR HOMES AND CERTAIN TRUCKS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 15. The original bill is placed on the Unfavorable Calendar.

H.B. 1098, A BILL TO BE ENTITLED AN ACT TO CREATE A NORTH CAROLINA TOLL ROADS AUTHORITY TO ADMINISTER TOLL ROADS ON HIGHWAYS RECOMMENDED BY THE DEPARTMENT OF TRANSPORTATION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

Committee Substitute for **H.B. 440, A BILL TO BE ENTITLED AN ACT TO ALLOW REPRESENTATIVES DESIGNATED BY THE COUNTY DIRECTOR OF SOCIAL SERVICES TO ACT ON BEHALF OF THE COUNTY DIRECTOR OF SOCIAL SERVICES**, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 601**, A BILL TO BE ENTITLED AN ACT TO REGULATE THE LEASING OF RAILROAD CORRIDORS BY THE DEPARTMENT OF TRANSPORTATION FOR PUBLIC RECREATION PURPOSES, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.J.R. 743, A JOINT RESOLUTION SETTING THE DATE FOR THE SENATE AND HOUSE OF REPRESENTATIVES TO ELECT MEMBERS OF THE STATE BOARD OF COMMUNITY COLLEGES. (RESOLUTION 12)

CALENDAR (continued)

Committee Substitute for **H.B. 89**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REGISTRATION, IDENTIFICATION, AND REPORTING REQUIREMENTS FOR LOBBYISTS AND THEIR PRINCIPALS; TO PROHIBIT CAMPAIGN FUND-RAISING FROM LOBBYISTS FOR LEGISLATORS AND COUNCIL OF STATE MEMBERS WHILE THE GENERAL ASSEMBLY IS IN REGULAR SESSION; AND TO REQUIRE A ONE-YEAR WAIT AFTER THEY LEAVE OFFICE BEFORE LOBBYING MAY BE DONE BY FORMER MEMBERS AND PRESIDING OFFICERS OF THE GENERAL ASSEMBLY, FORMER COUNCIL OF STATE MEMBERS, AND FORMER CABINET SECRETARIES.

On motion of Representative Rhyne, Committee Amendment No. 1 is adopted.

On motion of Representative Fletcher, Committee Amendment No. 2 is adopted by electronic vote (71-38). This amendment changes the title.

On motion of Representative Wicker, Committee Amendment No. 3 is adopted.

Representative Jones calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading, by electronic vote (97-13), and there being no objection is read a third time.

Representative Wicker offers Perfecting Amendment No. 4 which is adopted by electronic vote (100-1).

The bill, as amended, passes its third reading, by electronic vote (93-6), and is ordered engrossed and sent to the Senate by Special Message.

REPRESENTATIVE COLTON, SPEAKER PRO TEMPORE, PRESIDING.

Committee Substitute for **H.B. 1097**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MORE STRINGENT REQUIREMENTS ON HAZARDOUS WASTE LANDFILLS BY REQUIRING ALL WASTE BE PLACED IN CONTAINERS PRIOR TO DISPOSAL AND TO AMEND THE GENERAL STATUTES CONCERNING RESIDENT INSPECTOR RULES AT SPECIAL PURPOSE COMMERCIAL HAZARDOUS WASTE FACILITIES, passes its second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 746**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A PILOT PROGRAM TO STUDY THE USE OF RECYCLING BINS AT HIGHWAY REST AREAS, TO REQUIRE THE DEPARTMENT OF AGRICULTURE TO PROVIDE AND MAINTAIN RECYCLING BINS AT THE STATE FAIRGROUNDS IN RALEIGH, AND TO REQUIRE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO CONDUCT A PILOT PROGRAM TO STUDY THE USE OF RECYCLING BINS AT STATE PARKS, TO REQUIRE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO PROVIDE AND MAINTAIN RECYCLING BINS AT THE NORTH CAROLINA ZOOLOGICAL PARK, passes its second reading, by electronic vote (86-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 1131**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DEMOLITION ASPHALT MAY BE USED AS FILL, passes its second reading by electronic vote (83-5).

Representative Ethridge objects to the third reading. The bill remains on the Calendar.

Representative Ethridge withdraws his objection to the third reading.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

SPEAKER BLUE PRESIDING.

Committee Substitute for **H.B. 1008**, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE ENTIRE LENGTH OF INTERSTATE 40 AS A SCENIC HIGHWAY AND MEMORIAL HIGHWAY, AND TO REGULATE OUTDOOR ADVERTISING ALONG THAT HIGHWAY.

Representatives Morgan and Rhyne request that they be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill fails to pass its second reading by electronic vote (42-61).

Committee Substitute for **H.B. 1017**, A BILL TO BE ENTITLED AN ACT TO PROVIDE SUBPOENA POWER TO ALL MUNICIPALITIES AND TO AUTHORIZE ISSUANCE OF STOP ORDERS FOR VIOLATIONS OF ZONING AND SUBDIVISION ORDINANCES, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative R. Hunter for the Committee on Judiciary III:

H.B. 209, A BILL TO BE ENTITLED AN ACT TO LIMIT CAMPAIGN CONTRIBUTIONS MADE BY A CANDIDATE'S RELATIVES, with an unfavorable report.

H.B. 325, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOBBYISTS AND THEIR EMPLOYERS OR RETAINERS TO KEEP EXPENSE RECORDS FOR THREE YEARS AFTER SUBMITTING EACH LOBBYING EXPENSE REPORT, TO INCREASE THE PUNISHMENT FOR MAKING FALSE AND MISLEADING STATEMENTS ON LOBBYISTS' EXPENSE REPORTS TO A CLASS I FELONY, TO PERMIT THE SECRETARY OF STATE TO INVESTIGATE AND REFER EVIDENCE OF VIOLATIONS OF ARTICLE 9A OF CHAPTER 120 OF THE GENERAL STATUTES DIRECTLY TO THE APPROPRIATE DISTRICT ATTORNEY, AND TO GRANT THE SECRETARY OF STATE THE AUTHORITY TO MAKE, AMEND, AND RESCIND RULES, FORMS, ORDERS, AND DEFINITIONS IN CONNECTION WITH THE REGULATION OF LOBBYISTS, with a favorable report, as amended.

H.B. 457, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE TEMPORARY OR PERMANENT DENIAL OF STATE AID FOR HIGHER EDUCATION FOR CERTAIN DRUG CONVICTIONS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 15. The original bill is placed on the Unfavorable Calendar.

H.B. 563, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA HUMAN RELATIONS COMMISSION TO BRING AN ACTION FOR AN INTERFERENCE OF CIVIL RIGHTS UNDER CHAPTER 99D OF THE GENERAL STATUTES, with a favorable report, as amended.

H.B. 863, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT AT LEAST THIRTY-FIVE PERCENT OF THE PROCEEDS FROM BINGO GAMES BE USED FOR CHARITABLE PURPOSES, with a favorable report, as amended.

H.B. 868, A BILL TO BE ENTITLED AN ACT TO PROVIDE A MEANS OF RECORDING A NOTICE DOCUMENT PRIOR TO A REAL ESTATE CLOSING WHICH WOULD FIX AT THAT TIME THE PRIORITY OF TITLE DOCUMENTS RECORDED LATER IN CONNECTION WITH THAT REAL ESTATE CLOSING, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report, as amended.

H.B. 904, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF MOTOR VEHICLES BY MOTOR VEHICLE DEALERS AT LOCATIONS OTHER THAN LICENSED ESTABLISHED PLACES OF BUSINESS, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 976, A BILL TO BE ENTITLED AN ACT TO PROTECT FEDERAL OFFICERS AGAINST CIVIL LIABILITY WHEN ASSISTING STATE OR LOCAL LAW ENFORCEMENT OFFICERS, with a favorable report.

CALENDAR (continued)

Committee Substitute for **H.B. 232**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NO DEFERRED TAXES ARE DUE WHEN PROPERTY TAXED AT PRESENT-USE VALUE IS TRANSFERRED BECAUSE OF CONDEMNATION OR IMPENDING CONDEMNATION.

Representative Gamble calls the previous question on the passage of the bill and the call is sustained.

The bill passes its second reading, by electronic vote (71-13), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 57**, A BILL TO BE ENTITLED AN ACT TO CREATE A RAILROAD ADVISORY COMMISSION, passes its second reading by electronic vote (84-4).

Representative Diamont objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 92**, A BILL TO BE ENTITLED AN ACT TO ADDRESS MANAGEMENT ACCOUNTABILITY AND STAFF DEVELOPMENT AND TRAINING PROGRAMS FOR SCHOOL ADMINISTRATORS.

On motion of Representative Beard, the bill is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

Committee Substitute for **H.B. 6**, A BILL TO BE ENTITLED AN ACT TO SPECIFY APPOINTMENTS TO THE OPEN

**GOVERNMENT THROUGH PUBLIC TELECOMMUNICATIONS
STUDY COMMISSION.**

On motion of Representative Mavretic, consideration of the bill is postponed until May 14.

H.B. 352, A BILL TO BE ENTITLED AN ACT TO LIMIT THE NORTH CAROLINA CHILDHOOD VACCINE-RELATED INJURY PROGRAM TO CLAIMANTS WHO ARE PERMITTED BY FEDERAL LAW TO BRING A CIVIL ACTION FOR DAMAGES FOR VACCINE-RELATED INJURY OR DEATH.

On motion of Representative Rhyne, consideration of the bill is postponed until May 14.

Representative Hackney moves, seconded by Representative Green, subject to reading of notices and announcements, that the House do adjourn. This motion carries by electronic vote (81-9).

The House adjourns at 10:07 p.m. to reconvene May 14 at 1:00 p.m.

SIXTY-FOURTH DAY**HOUSE OF REPRESENTATIVES****Tuesday, May 14, 1991**

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Hackney, for the Committee on Rules, Appointments and Calendar reports the Journal of May 13 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barbee, Fletcher, Foster, Jack Hunt, Smith, and Tallent for today.

**THE RECEIVING OF PETITIONS, MEMORIALS AND
PAPERS ADDRESSED
TO THE GENERAL ASSEMBLY OR TO THE HOUSE****May 14, 1991**

The Honorable Daniel T. Blue
Speaker of the House
State Legislative Building
Raleigh, North Carolina 27611

Dear Mr. Speaker:

Pursuant to North Carolina General Statute 126-2(b), I am appointing F. Douglas Bidy and Angela R. Massingill to the State Personnel Commission. Their terms will begin July 1, 1991 and will expire June

30, 1997. These appointments are subject to confirmation by the General Assembly and I hereby submit their names for confirmation.

I have enclosed some biographical information on Mr. Biddy and Ms. Massingill. Please feel free to contact them should you need any further information or to notify them of any committee meetings that they would need to attend concerning their confirmation.

Sincerely,
S/James G. Martin
Governor

On motion of the Chair, the letter is referred to the Committee on Public Employees.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Lutz for the Committee on Local and Regional Government II:

H.B. 739, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ANY EXTENSION OF THE CORPORATE LIMITS OF THE TOWN OF HOLDEN BEACH BE SUBJECT TO A REFERENDUM, with a favorable report, as amended.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Green for the Permanent Subcommittee on Aging:

H.B. 860, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE SOCIAL SERVICES COMMISSION ADOPT RULES SETTING STATE/COUNTY SPECIAL ASSISTANCE ELIGIBILITY FOR DOMICILIARY CARE TO CORRESPOND WITH THE RULES DETERMINING FEDERAL MEDICAID ELIGIBILITY, reported to the Standing Committee on Human Resources, with a favorable recommendation and recommend that the bill be re-referred to the Committee on Appropriations.

By Representative Chapin for the Permanent Subcommittee on Aquaculture and Marine Fisheries for the Standing Committee on Agriculture, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 1105, A BILL TO BE ENTITLED AN ACT TO REQUIRE A LICENSE TO SELL FISH TAKEN FROM COASTAL FISHING WATERS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Appointments and Calendar.

The committee substitute bill is re-referred to the Committee on Rules, Appointments and Calendar. The original bill is placed on the Unfavorable Calendar.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Judy Hunt for the Committee on Public Utilities:

H.B. 967, A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA TO BECOME MEMBERS OF A JOINT MUNICIPAL ASSISTANCE AGENCY AND TO PERMIT ASSOCIATE MEMBERSHIPS TO SUCH AGENCY, with a favorable report.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Jones for the Permanent Subcommittee on Children, Youth and Families of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 1108, A BILL TO BE ENTITLED AN ACT TO ENACT THE PUBLIC BATHROOM EQUITY ACT, with a favorable report, as amended.

By Representative Barnhill for the Permanent Subcommittee on Health and Mental Health of the Standing Committee on Human Resources, with approval of the standing committee chairman for report to be made directly to the floor of the House:

H.B. 428, A BILL TO BE ENTITLED AN ACT TO ENHANCE MENTAL HEALTH, MENTAL RETARDATION, AND SUBSTANCE ABUSE CARE IN LOCAL CONFINEMENT FACILITIES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 16. The original bill is placed on the Unfavorable Calendar.

H.B. 476, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE PUBLIC HEALTH STUDY COMMISSION, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H.B. 477, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STERILIZATION OF CATS AND DOGS ADOPTED FROM OR SOLD BY ANIMAL SHELTERS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 16. The original bill is placed on the Unfavorable Calendar.

H.B. 499, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MISSION AND ESSENTIAL SERVICES OF THE PUBLIC HEALTH SYSTEM, with a favorable report.

By Representative Beall for the Permanent Subcommittee on Forestry, Horticulture and Wildlife:

H.B. 1055, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL SERVICE STATIONS TO PROVIDE FREE AIR SERVICES AND BATHROOMS, reported to the Standing Committee on Agriculture, with an unfavorable recommendation.

By Representative Beall for the Permanent Subcommittee on Forestry, Horticulture and Wildlife of the Standing Committee on Agriculture, with approval of the standing committee chairman for report to be made directly to the floor of the House:

H.B. 1160, A BILL TO BE ENTITLED AN ACT TO REPEAL THE NONRESIDENT BEAR HUNTING LICENSE REQUIREMENT IN ORDER TO PROMOTE RECIPROCITY WITH THE STATE OF TENNESSEE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representative Mercer for the Permanent Subcommittee on Military, Veterans and Indian Affairs of the Standing Committee on State Government, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 575, A BILL TO BE ENTITLED AN ACT TO BROADEN COVERAGE UNDER THE STATE SCHOLARSHIP PROGRAM TO INCLUDE CHILDREN OF WAR VETERANS WITH ANY DISABILITY RATING, with a favorable report.

PROCLAMATION

Representative Black, Chairman of the Permanent Subcommittee on Community Colleges of the Standing Committee on Education is recognized and reads A Proclamation To Recognize the North Carolina Community Colleges System. Pursuant to House Rule 11, Representative Black requests the Proclamation be spread upon the Journal as follows:

A PROCLAMATION TO RECOGNIZE THE NORTH CAROLINA COMMUNITY COLLEGES SYSTEM

Whereas, the North Carolina Community Colleges System was established May 17, 1963, with the primary purpose of providing vocational education and technical training as well as basic, secondary, and academic education for the benefit of the people of the State; and

Whereas, the North Carolina Community College System implements important educational and training activities through 58 community colleges located throughout the State; and

Whereas, 741,387 North Carolinians were enrolled last year in at least one community college course; and

Whereas, the Commission on the Future of the North Carolina Community College System clearly documented the vital role of community colleges in providing quality training for the State's workers; and

Whereas, there is a growing gap between the skills required by emerging industries and the skills currently possessed by our workforce; and

Whereas, the North Carolina Community College System is essential to maintaining a workforce trained in valuable skills;

Now, therefore, be it proclaimed that:

Section 1. The trustees, faculty, and staff of North Carolina's 58 community colleges are recognized for their dedication and performance. We affirm our commitment to a strong community college system, and integral part of the State's economic growth.

Sec. 2. This proclamation is made this 14th day of May, 1991.

Representative Black sends forth the following Committee Report:

**REPORT OF EDUCATION COMMITTEE/SUBCOMMITTEE
ON COMMUNITY COLLEGES**

Pursuant to G.S. 115D-2.1 (b) (4) f, the Education Committee/Subcommittee on Community Colleges, met on May 7, 1991, the majority of the members being present, and hereby submits the following nominees to be considered for election by the House on May 14, 1991.

Frank P. Fields
Mooreville, North Carolina

Dwight Quinn
Kannapolis, North Carolina

Elizabeth G. (Liz) Hair
Charlotte, North Carolina

Sam Beam
Cherryville, North Carolina

Helen M. Newsome
Ahoskie, North Carolina

There were six (6) original nominees to fill the slots of Dwight Quinn of Kannapolis and Jay Huskins of Statesville whose terms expire June 30, 1991. Mr. Huskins has retired, and Mr. Quinn is eligible and is seeking re-election. The sixth nominee was Helen A. Boyette of Chinquapin who withdrew after the nominations.

Each candidate received a unanimous vote for nomination.

S/Anne Barnes, Chairman
Standing Education Committee

S/James B. Black, Chairman
Sub. on Community Colleges

Following the election by ballot, Representative Black announces there is a run-off between Elizabeth G. Hair and Sam Beam.

Following the run-off election of the candidates by ballot, Representative Black announces that Ms. Elizabeth Hair and Mr. Dwight Quinn are elected for a six year term, beginning July 1, 1991, to serve on the State Board of Community Colleges.

On motion of Representative Black, the election of Mr. Quinn is confirmed by electronic vote (96-0).

On motion of Representative Black, the election of Ms. Elizabeth Hair is confirmed by electronic vote (97-0).

The Senate is so notified by Special Message.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representatives Hackney and Miller for the Committee on Finance:

Committee Substitute No. 1 for **H.B. 653**, A BILL TO BE ENTITLED AN ACT TO CREATE A TAX COMMISSION FOR RANDOLPH COUNTY, TO PROVIDE FOR THE APPOINTMENT OF A TAX ASSESSOR, A TAX COLLECTOR, AND A SPECIAL BOARD OF EQUALIZATION AND REVIEW FOR RANDOLPH COUNTY, AND TO DEFINE THE POWERS AND DUTIES OF THE TAX COMMISSION, ASSESSOR, TAX COLLECTOR, AND SPECIAL BOARD OF EQUALIZATION AND REVIEW, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Committee Substitute Bill No. 2 is placed on the Calendar for May 16. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 299, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF LEWISVILLE IN FORSYTH COUNTY, with a favorable report, as amended.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

Committee Substitute for **S.B. 124**, A BILL TO BE ENTITLED AN ACT TO INCREASE STATE EFFORT TO PREVENT DROPPING OUT OF SCHOOL BEFORE GRADUATION, is read the first time and referred to the Committee on Education.

Committee Substitute for **S.B. 126**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATE EFFORT TO PROVIDE REMEDIATION, is read the first time and referred to the Committee on Education.

S.B. 214, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF CERTAIN PROPERTY BY THE TOWN OF HOLLY SPRINGS, is read the first time and referred to the Committee on Local and Regional Government I.

Committee Substitute for **S.B. 286**, A BILL TO BE ENTITLED AN ACT TO SPECIFY CERTAIN DUTIES OF THE CHAIRMAN OF THE INDUSTRIAL COMMISSION, is read the first time and referred to the Committee on Economic Expansion.

Committee Substitute for **S.B. 556**, A BILL TO BE ENTITLED AN ACT TO ALLOW ABSENTEE VOTING IN REFERENDA ON

INCORPORATION OF A MUNICIPALITY, AND TO SHORTEN THE CANDIDATE FILING PERIOD, is read the first time and referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

Committee Substitute for **S.B. 594**, A BILL TO BE ENTITLED AN ACT RELATING TO ELIGIBILITY TO SERVE ON A COMMUNITY COLLEGE BOARD OF TRUSTEES, is read the first time and referred to the Committee on Education.

S.J.R. 739, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WILSON FRANKLIN YARBOROUGH, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 740**, A BILL TO BE ENTITLED AN ACT TO GRANT QUALIFIED IMMUNITY TO THE PEER REVIEW COMMITTEE OF THE NORTH CAROLINA CHIROPRACTIC ASSOCIATION, is read the first time and referred to the Committee on Judiciary II.

S.B. 758, A BILL TO BE ENTITLED AN ACT PERTAINING TO TRAINING REQUIREMENTS FOR TANNING BED OPERATORS, is read the first time and referred to the Committee on Human Resources.

Committee Substitute for **S.B. 764**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ACTIONS FOR NEGLIGENT OR DEFICIENT SURVEYING OR PLATTING AGAINST REGISTERED LAND SURVEYORS BE COMMENCED WITHIN THREE YEARS AND IN NO EVENT MORE THAN TEN YEARS FROM THE ACT OR OMISSION GIVING RISE TO THE ACTION, is read the first time and referred to the Committee on Judiciary I.

S.B. 788, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ENERGY DIVISION OF THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO STUDY THE USE OF CLEAN TRANSPORTATION FUELS IN STATE-OWNED VEHICLES AND TO DEVELOP A DEMONSTRATION PROJECT USING NATURAL GAS AS THE FUEL FOR STATE-OWNED VEHICLES, is read the first time and referred to the Committee on State Government.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 9, A BILL TO BE ENTITLED AN ACT TO MAKE THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION THE CHAIRMAN OF THE STATE BOARD OF EDUCATION, is read the first time and referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

S.B. 11, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION OF THE ADMINISTRATIVE PROCEDURE ACT, is read the first time and referred to the Committee on Judiciary II.

S.B. 146, A BILL TO BE ENTITLED AN ACT ESTABLISHING A METHOD FOR SETTING THE FEES PAID TO CONTRACT AGENTS OF THE DIVISION OF MOTOR VEHICLES, is read the first time and referred to the Committee on Transportation.

S.B. 165, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF AGING, TO ADMINISTER A HOME AND COMMUNITY CARE BLOCK GRANT FOR OLDER ADULTS, is read the first time and referred to the Committee on Human Resources.

S.B. 249, A BILL TO BE ENTITLED AN ACT TO REMOVE THE LIMIT ON THE PAYMENT FOR EMERGENCY ROAD SERVICE PROVIDED BY MOTOR CLUBS IN NORTH CAROLINA, is read the first time and referred to the Committee on Commerce.

S.B. 280, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA CENTER FOR APPLIED TEXTILE TECHNOLOGY, is read the first time and referred to the Committee on Education.

S.B. 282, A BILL TO BE ENTITLED AN ACT TO IMPROVE PROCEDURES RELATING TO ACADEMICALLY GIFTED STUDENTS, is read the first time and referred to the Committee on Education.

S.B. 312, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TEACHERS MAY PARTICIPATE IN THE PUBLIC EMPLOYEES' COMPENSATION PLAN, is read the first time and referred to the Committee on Public Employees.

S.B. 320, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE EMPLOYMENT SECURITY LAW, is read the first time and referred to the Committee on Economic Expansion.

S.B. 325, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE TIMES WITHIN WHICH HEALTH CARE FACILITIES MAY FILE PETITIONS FOR CONTESTED CASE HEARINGS, is read the first time and referred to the Committee on Judiciary I.

S.B. 326, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE AUTHORITY OF THE DEPARTMENT OF HUMAN RESOURCES TO MAINTAIN A REGISTRY OF NURSE AIDES AND TO INCLUDE FINDINGS OF ABUSE, NEGLECT, AND MISAPPROPRIATION IN THE NURSE AIDE REGISTRY, is read the first time and referred to the Committee on Human Resources.

Committee Substitute for **S.B. 359**, A BILL TO BE ENTITLED AN ACT TO TRANSFER AUTHORITY TO SET FEES FOR SCREENING TESTS FOR ASBESTOSIS OR SILICOSIS TO THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, is read the first time and referred to the Committee on Environment.

S.B. 373, A BILL TO BE ENTITLED AN ACT TO ADD FOUR MEMBERS TO THE NORTH CAROLINA BOARD OF SCIENCE

AND TECHNOLOGY, is read the first time and referred to the Committee on Science and Technology.

Committee Substitute for **S.B. 389**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE NORTH CAROLINA MARINE SCIENCE COUNCIL, TO CREATE THE NORTH CAROLINA COUNCIL ON OCEAN AFFAIRS, AND TO REQUIRE THE OFFICE OF MARINE AFFAIRS TO ADMINISTER THE NORTH CAROLINA AQUARIUMS, is read the first time and referred to the Committee on Agriculture.

S.B. 491, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE CLAY COUNTY BOARD OF EDUCATION FROM PARTISAN TO NONPARTISAN, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 492, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE OF THE NONPARTISAN AVERY COUNTY SCHOOL BOARD ELECTION FROM MAY TO NOVEMBER, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 522, A BILL TO BE ENTITLED AN ACT TO TO CREATE THE NORTH CAROLINA TRAVEL AND TOURISM BOARD, is read the first time and referred to the Committee on Economic Expansion.

S.B. 544, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW REGULATING THE SETTING OF STEEL TRAPS IN PENDER COUNTY, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 555, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATION OF TOWN OF NORTH TOPSAIL BEACH OR ONSLOW COUNTY ORDINANCES, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 557, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF DANBURY, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 569, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WILMINGTON TO AUTHORIZE ZONING DENSITY BONUSES IN PROJECTS CONTAINING SPECIFIED AMOUNTS OF LOW AND MODERATE INCOME HOUSING, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 570, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES TO VACATE AND CLOSE CERTAIN DWELLINGS FOUND TO BE IN VIOLATION OF THE MINIMUM HOUSING CODE, is read the first time and referred to the Committee on Commerce.

S.B. 592, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE JACKSON COUNTY BOARD OF EDUCATION FROM PARTISAN TO NONPARTISAN, AND CHANGE THE TIME OF TAKING OFFICE FROM DECEMBER TO JULY, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 611, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NASH COUNTY ABC BOARD AND THE CITY OF EDEN ABC BOARD TO MAKE CREDIT CARD SALES IF AUTHORIZED BY THE ABC COMMISSION, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 619, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO FILE WITH THE REGISTER OF DEEDS A NOTICE OF SPECIAL CONDITIONS ATTACHED TO THE ZONING OF PROPERTY, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 628, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF ASHEBORO, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 645, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE LAW RELATING TO THE CREATION AND PERFECTION OF SECURITY INTERESTS IN RENTS AND PROFITS, is read the first time and referred to the Committee on Judiciary III.

S.B. 652, A BILL TO BE ENTITLED AN ACT TO AMEND THE "CLEAN RISK" DEFINITION IN THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY, is read the first time and referred to the Committee on Commerce.

S.B. 661, A BILL TO BE ENTITLED AN ACT TO ADD TO THE LIST OF FIDUCIARY POWERS THE POWERS TO DIVIDE ONE TRUST INTO SEVERAL TRUSTS AND TO CONSOLIDATE SIMILAR TRUSTS, is read the first time and referred to the Committee on Judiciary III.

S.B. 662, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON THE ACT PERTAINING TO INVENTION DEVELOPMENT SERVICES, is read the first time and referred to the Committee on Judiciary I.

S.B. 665, A BILL TO BE ENTITLED AN ACT TO AMEND THE APPLICATION OF G.S. 160A-299 CONCERNING CITIES PERMANENTLY CLOSING STREETS AND ALLEYS, is read the first time and referred to the Committee on Judiciary I.

S.B. 670, A BILL TO BE ENTITLED AN ACT AUTHORIZING WILDLIFE PROTECTORS TO ASSIST IN THE ENFORCEMENT OF LAWS WHEN A CRIME HAS BEEN COMMITTED IN THEIR PRESENCE OR WHEN A STATE OR LOCAL LAW ENFORCEMENT OFFICER HAS REQUESTED THEIR ASSISTANCE, is read the first time and referred to the Committee on Judiciary I.

S.B. 690, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ENFORCEMENT OF A LIEN ON A MOTOR VEHICLE IN CONNECTION WITH REPAIRS, WHEN THE LIENOR DOES NOT HAVE POSSESSION OF THE MOTOR VEHICLE, is read the first time and referred to the Committee on Judiciary I.

S.B. 717, A BILL TO BE ENTITLED AN ACT TO TO SUPPORT THE ESSENTIAL ACCESS COMMUNITY HOSPITAL (EACH) PROGRAM, is read the first time and referred to the Committee on Education.

S.B. 734, A BILL TO BE ENTITLED AN ACT TO EXTEND THE EXEMPTION OF RESTAURANTS FROM HIV EMPLOYMENT DISCRIMINATION PROHIBITION, is read the first time and referred to the Committee on Human Resources.

S.B. 745, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW PERTAINING TO THE REMOVAL OF DISQUALIFICATION FOR UNEMPLOYMENT INSURANCE BENEFITS, is read the first time and referred to the Committee on Economic Expansion.

S.B. 755, A BILL TO BE ENTITLED AN ACT TO ALLOW AIDS TESTING WITHOUT CONSENT IN CERTAIN MEDICAL PROCEDURES, is read the first time and referred to the Committee on Human Resources.

S.B. 762, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON CONVICTED OF POSSESSION OF A CONTROLLED SUBSTANCE ON PRISON OR JAIL PREMISES SHALL BE GUILTY OF A CLASS I FELONY, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 774**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE USE OF FISCAL YEARS FOR PROBATE ACCOUNTING PURPOSES, is read the first time and referred to the Committee on Judiciary III.

S.B. 816, A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW REGARDING THE APPOINTMENT OF COMMISSIONERS OF HOSPITAL AUTHORITIES, is read the first time and referred to the Committee on Human Resources.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 118, AN ACT TO MAKE TECHNICAL CORRECTIONS TO SUBCHAPTER IV OF CHAPTER 113 OF THE NORTH CAROLINA GENERAL STATUTES CONCERNING MARINE FISHERIES. (CHAPTER 86)

H.B. 467, AN ACT TO AMEND THE DEFINITION OF "PESTICIDE APPLICATOR". (CHAPTER 87)

H.J.R. 919, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WILSON FRANKLIN YARBOROUGH, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 13)

SUBCOMMITTEE REFERRAL

Representative Hardaway, Chairman for the Standing Committee on Commerce, refers:

H.B. 1012, A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PORTIONS OF LANDLORD AND TENANT LAW, to the Permanent Subcommittee on Housing.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 586, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM IN BRUNSWICK COUNTY ON THE QUESTIONS OF CHANGING THE TERMS OF OFFICE OF THE BRUNSWICK COUNTY BOARD OF COMMISSIONERS AND THE BRUNSWICK COUNTY BOARD OF EDUCATION FROM FOUR YEARS TO TWO YEARS**, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 699, A BILL TO BE ENTITLED AN ACT TO AMEND THE FAYETTEVILLE CITY CHARTER RELATING TO THE FAYETTEVILLE SUPPLEMENTAL FIREMEN'S FUND, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 435, A BILL TO BE ENTITLED AN ACT TO REWRITE AND AMEND THE MOTOR VEHICLE LAWS RELATING TO HANDICAPPED PERSONS**, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kerr, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Rhodes, Rhyne,

Robinson, Rogers, Russell, Stewart, Thompson, Wainwright, Warner, Wicker, Wilson, Withrow, Wood, and Woodard - 101.

Voting in the negative: None.

Excused absences: Representatives Barbee, Black, Dockham, Fletcher, Jack Hunt, Kennedy, Smith, Tallent, and Wilmoth - 9.

Committee Substitute No. 2 for **H.B. 37, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A HOMEOWNERS RECOVERY FUND UNDER THE SUPERVISION OF THE GENERAL CONTRACTORS LICENSING BOARD**, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representative Abernethy, Albertson, Anderson, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Easterling, Esposito, Fitch, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Green, Greenwood, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Rhodes, Robinson, Rogers, Russell, Stewart, Thompson, Wainwright, Warner, Wicker, Wilson, Withrow, Wood, and Woodard - 99.

Voting in the negative: Representatives Balmer, Brawley, and Grimmer - 3.

Excused absences: Representatives Barbee, Black, Dockham, Fletcher, Jack Hunt, Kennedy, Smith, Tallent, and Wilmoth - 9.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Dawkins for the Committee on Judiciary II:

H.B. 14, A BILL TO BE ENTITLED AN ACT TO END THE EXEMPTION OF THE GENERAL ASSEMBLY FROM THE OPEN MEETINGS LAW, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of Representative Dawkins, the rules are suspended and the committee substitute bill is placed on the Calendar for May 15. The original bill is placed on the Unfavorable Calendar.

H.B. 297, A BILL TO BE ENTITLED AN ACT TO REQUIRE A COLOR DIFFERENTIATED DRIVERS LICENSE BE ISSUED TO A PERSON CONVICTED OF AN IMPAIRED DRIVING OR CONTROLLED SUBSTANCE VIOLATION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Representative Dawkins moves that the rules be suspended and the bill be placed on the Calendar for May 15. The motion fails by electronic vote (60-37). The Speaker rules this is not a two-thirds majority vote.

The committee substitute bill is placed on the Calendar for May 16. The original bill is placed on the Unfavorable Calendar.

H.B. 985, A BILL TO BE ENTITLED AN ACT TO CLARIFY A CITY'S AUTHORITY TO REQUIRE PARTICIPATION IN ANY COLLECTION AND DISPOSAL SERVICES PROVIDED BY THE CITY, with a favorable report, as amended.

H.B. 1082, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LIABILITY OF LANDOWNERS TO MEMBERS OF THE PUBLIC ENTERING THE LAND FOR EDUCATIONAL AND RECREATIONAL PURPOSES, with a favorable report.

CALENDAR (continued)

Committee Substitute for **H.B. 77, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE MEMBERSHIP OF THE STATE BOARD OF EDUCATION AND TO MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION THE CHAIRMAN OF THE STATE BOARD OF EDUCATION.**

On motion of Representative J. W. Crawford, consideration of the bill is postponed until May 15 by electronic vote (68-37).

Committee Substitute for **H.B. 918, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PERMISSIBLE ACTIVITIES OF INSURANCE AGENCY OFFICE EMPLOYEES,** passes its third reading, by electronic vote (95-8), and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 57, A BILL TO BE ENTITLED AN ACT TO CREATE A RAILROAD ADVISORY COMMISSION.**

On motion of Representative Abernethy, the bill is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

H.B. 671, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT VOTER LISTS MAY BE PROVIDED BY COUNTY BOARDS OF ELECTIONS ONLY FOR POLITICAL ENTITIES AND FOR JURY SELECTION PURPOSES.

On motion of Representative Jeralds, the bill is withdrawn from the Calendar and re-referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

H.J.R. 286, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES RAPER JONAS, FORMER CONGRESSMAN AND "MISTER REPUBLICAN", with a favorable report as to committee substitute joint resolution, unfavorable as to original joint resolution.

The committee substitute joint resolution is placed on the Calendar for May 16. The original joint resolution is placed on the Unfavorable Calendar.

By Representative Kennedy for the Committee on Judiciary I:

H.B. 190, A BILL TO BE ENTITLED AN ACT ALLOWING JUDGMENT FOR EQUITABLE DISTRIBUTION TO BE ENTERED PRIOR TO ENTRY OF DIVORCE DECREE IN CERTAIN CASES, with a favorable report.

H.B. 417, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN ACTION UNDER THE CHAPTER OF LAW CONCERNING DIVORCE AND ALIMONY TO PROTECT THE PROPERTY OF AN INCOMPETENT SPOUSE BUT TO PREVENT THE ENTRY OF A DIVORCE DECREE ON BEHALF OF THE INCOMPETENT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report, as amended.

H.B. 501, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PUBLIC ENTERPRISE LAW WITH RESPECT TO STORMWATER UTILITIES ESTABLISHED BY CITIES AND COUNTIES AND TO GIVE WATER AND SEWER AUTHORITIES THE ABILITY TO OPERATE AND FINANCE STORMWATER UTILITIES, with a favorable report.

On motion of Representative Hurley, the bill is re-referred to the Committee on Finance.

H.B. 930, A BILL TO BE ENTITLED AN ACT TO ENTITLE EMPLOYEES TO PARENTAL LEAVE UPON THE BIRTH OR ADOPTION OF A CHILD, with a favorable report.

H.B. 935, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CLAIMS REVIEW PANEL FOR CIVIL ACTIONS INVOLVING ARCHITECTURAL SERVICES, with a favorable report, as amended.

H.B. 1072, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CHILD VICTIM MAY TESTIFY IN COURT IN CERTAIN CRIMINAL CASES BY MEANS OF CLOSED CIRCUIT TELEVISION, with a favorable report, as amended.

By Representative Greenwood for the Committee on Pensions and Retirement:

Committee Substitute for **H.B. 397**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE COURTS TO EQUITABLY DIVIDE PENSION, RETIREMENT, AND DEFERRED COMPENSATION PLAN BENEFITS, with a favorable report.

H.B. 414, A BILL TO BE ENTITLED AN ACT TO RAISE THE MAXIMUM AMOUNT AND TO LOWER THE SERVICE REQUIREMENT FOR ELIGIBILITY IN THE REGISTER OF DEEDS' SUPPLEMENTAL PENSION FUND, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Michaux for the Committee on Courts, Justice, Constitutional Amendments and Referenda:

H.B. 1126, A BILL TO BE ENTITLED AN ACT TO REFORM THE CAMPAIGN FINANCE LAWS, with a favorable report as to committee substitute bill, as amended, unfavorable as to original bill.

The committee substitute bill, as amended, is placed on the Calendar for May 16. The original bill is placed on the Unfavorable Calendar.

H.B. 830, A BILL TO BE ENTITLED AN ACT TO EXTEND THE REPORTING PROVISIONS OF THE CAMPAIGN FINANCE LAW TO ELECTIONS IN ALL COUNTIES AND MUNICIPALITIES, with an unfavorable report.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Church for the Permanent Subcommittee on Highways of the Standing Committee on Transportation, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 437, A BILL TO BE ENTITLED AN ACT TO CREATE A CIVIL PENALTY FOR OPERATING OVERDIMENSION VEHICLES OR COMBINATIONS OF VEHICLES WITHOUT OR IN VIOLATION OF A PERMIT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

H.B. 636, A BILL TO BE ENTITLED AN ACT TO PERMIT THE UTILITIES COMMISSION TO EXEMPT CELLULAR FROM REGULATION UNDER CHAPTER 62.

On motion of Representative Miller, the bill, as amended, is postponed indefinitely by electronic vote (90-0).

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Barnes for the Committee on Education:

H.B. 493, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STATE ASSISTANCE AND INTERVENTION IN LOW PERFORMING SCHOOL UNITS, with a favorable report, as amended.

H.B. 754, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP EQUIPMENT STANDARDS FOR VOCATIONAL EDUCATION PROGRAMS, with a favorable report.

SUBCOMMITTEE REFERRALS

Representative Barnes, Chairman for the Standing Committee on Education, refers:

H.B. 47, A BILL TO BE ENTITLED AN ACT SUPPORTING THE EFFORTS OF TEACHERS TO CONTROL THEIR CLASSES AND REQUIRING PARENTS TO ASSIST IN DISCIPLINING THEIR CHILDREN AT SCHOOL, to the Permanent Subcommittee on Pre-school, Elementary and Secondary Education.

H.B. 230, A BILL TO BE ENTITLED AN ACT RELATING TO THE TERMS OF EMPLOYMENT OF SCHOOL BUS DRIVERS, to the Permanent Subcommittee on Pre-school, Elementary and Secondary Education.

CALENDAR (continued)

Committee Substitute for **H.B. 420, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AMENDMENTS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION,** passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 901, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF COUNTIES AND CITIES TO PROVIDE DEFERRED COMPENSATION BENEFITS TO EMPLOYEES, passes its second reading, by electronic vote (86-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 713, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DISTRICT BOARD OF A METROPOLITAN SEWERAGE DISTRICT MAY APPOINT AN ASSISTANT SECRETARY AND AN ASSISTANT TREASURER, passes its second reading, by electronic vote (89-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 912, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES TO VACATE AND CLOSE CERTAIN DWELLINGS

FOUND TO BE IN VIOLATION OF THE MINIMUM HOUSING CODE.

Representative Gottovi offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (62-31), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

H.B. 991, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIAL RULES FOR INTERNATIONAL COMMERCIAL ARBITRATIONS.

On motion of Representative Hardaway, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

H.B. 124, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES PREPARE A WATER RESOURCES DEVELOPMENT PROJECTS PLAN AND TO PROVIDE THAT THE DIRECTOR OF THE BUDGET REVIEW THE PLAN AND ADOPT A WATER RESOURCES DEVELOPMENT PROGRAM, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 616, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR THE CHANGING OF A CHILD'S NAME BY PETITION NOT MORE THAN TWO TIMES UNDER CERTAIN CIRCUMSTANCES, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 832, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF A FIREARM WHILE UNDER THE INFLUENCE OF ALCOHOL OR ANY OTHER IMPAIRING SUBSTANCE.

Representative Michaux offers Amendment No. 1 which is adopted.

On motion of Representative Anderson, consideration of the bill is postponed until May 15.

H.B. 1123, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IT IS FIRST-DEGREE MURDER TO KILL A LAW ENFORCEMENT OFFICER, passes its second reading, by electronic vote (76-9), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

S.B. 164, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT DOMICILIARY HOME COST REPORTS BE CERTIFIED.

On motion of Representative Jeralds, consideration of the bill is postponed until May 20.

REPRESENTATIVE WICKER, HOUSE MAJORITY LEADER, PRESIDING.

Committee Substitute for **H.B. 869, A BILL TO BE ENTITLED AN ACT TO INCREASE EXEMPT PROPERTY VALUES AND CLARIFY THE EFFECT OF EXEMPTIONS, TO AUTHORIZE CERTAIN LOAN AND APPRAISAL FEES, TO AMEND THE USURY LAWS APPLICABLE TO COMMERCIAL LOANS, TO AUTHORIZE THE IMPOSITION OF AN ANNUAL FEE OR MONTHLY SERVICE CHARGE ON CREDIT PLANS, AND TO AMEND THE LAW REGARDING ASSUMPTION FEES IN CONNECTION WITH CERTAIN REAL ESTATE LOANS.**

Representative Hasty requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (85-10), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 644, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMMISSION TO DESIGNATE A STATE TO HOST THE THIRD REGIONAL DISPOSAL FACILITY AS A CONDITION TO THE DESIGNATION OF A PREFERRED SITE FOR A LOW-LEVEL RADIOACTIVE WASTE DISPOSAL FACILITY IN THIS STATE.

Representative Hightower calls the previous question on the passage of the bill.

Representative Hackney moves that the call for the previous question be postponed indefinitely.

Representative Hackney withdraws his motion to postpone indefinitely the call for the previous question.

The call for the previous question on the passage of the bill is sustained.

The bill fails to pass its second reading by electronic vote (30-70).

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Rogers for the Permanent Subcommittee on Pre-School, Elementary and Secondary Education of the Standing Committee on Education, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 47, A BILL TO BE ENTITLED AN ACT SUPPORTING THE EFFORTS OF TEACHERS TO CONTROL THEIR CLASSES AND REQUIRING PARENTS TO ASSIST IN DISCIPLINING THEIR CHILDREN AT SCHOOL, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 16. The original bill is placed on the Unfavorable Calendar.

H.B. 230, A BILL TO BE ENTITLED AN ACT RELATING TO THE TERMS OF EMPLOYMENT OF SCHOOL BUS DRIVERS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 16. The original bill is placed on the Unfavorable Calendar.

By Representative Cunningham for the Permanent Subcommittee on Housing of the Standing Committee on Commerce, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 1012, A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PORTIONS OF LANDLORD AND TENANT LAW, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 16. The original bill is placed on the Unfavorable Calendar.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative R. Hunter for the Committee on Judiciary III:

H.B. 508, A BILL TO BE ENTITLED AN ACT TO CREATE THE FELONY OFFENSE OF FORTIFYING A STRUCTURE USED FOR THE ILLEGAL SALE, DELIVERY, MANUFACTURE, OR POSSESSION OF A CONTROLLED SUBSTANCE FOR THE PURPOSE OF SUPPRESSING OR IMPEDING LAW ENFORCEMENT ENTRY, with a favorable report, as amended.

H.B. 513, A BILL TO BE ENTITLED AN ACT TO CREATE THE MISDEMEANOR OFFENSE OF ETHNIC INTIMIDATION AND TO ADD ETHNIC ANIMOSITY AS AN AGGRAVATING FACTOR TO BE CONSIDERED IN FELONY SENTENCES, with a favorable report, as amended.

H.B. 1009, A BILL TO BE ENTITLED AN ACT TO PROVIDE JUST COMPENSATION PROCEDURES, with a favorable report, as amended.

CALENDAR (continued)

H.B. 408, A BILL TO BE ENTITLED AN ACT TO AMEND THE CERTIFICATE OF NEED LAW TO IMPROVE THE ABILITY TO PLAN FOR CHEMICAL DEPENDENCY TREATMENT BEDS AND TO MAKE CLEAR THAT THE STATE MEDICAL FACILITIES PLAN LIMITS THE NUMBER OF BEDS OR FACILITIES THAT MAY BE APPROVED, passes its second reading, by electronic vote (69-10), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 516, A BILL TO BE ENTITLED AN ACT REQUIRING TRAFFIC SIGNS AND OTHER TRAFFIC CONTROL DEVICES ON ALL HIGHWAYS AND PUBLIC VEHICULAR AREAS TO CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, passes its second reading, by electronic vote (80-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 6**, A BILL TO BE ENTITLED AN ACT TO SPECIFY APPOINTMENTS TO THE OPEN GOVERNMENT THROUGH PUBLIC TELECOMMUNICATIONS STUDY COMMISSION, passes its second reading, by electronic vote (89-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 1007**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE LITTERING FINES IN THE GENERAL STATUTES AND AUTHORIZATION TO STUDY REQUIRING A DEPOSIT ON GLASS AND PLASTIC BEVERAGE CONTAINERS AND REQUIRING DEALERS AND REDEMPTION CENTERS TO ACCEPT RETURNED GLASS AND PLASTIC CONTAINERS AND REFUND THE DEPOSITS.

On motion of Representative Gottovi, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **H.B. 519**, A BILL TO BE ENTITLED AN ACT REQUIRING EMPLOYERS TO REIMBURSE EMPLOYMENT AGENCY FEES UNDER CERTAIN CIRCUMSTANCES.

Representative Abernethy offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (75-13), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

H.B. 352, A BILL TO BE ENTITLED AN ACT TO LIMIT THE NORTH CAROLINA CHILDHOOD VACCINE-RELATED INJURY PROGRAM TO CLAIMANTS WHO ARE PERMITTED BY FEDERAL LAW TO BRING A CIVIL ACTION FOR DAMAGES FOR VACCINE-RELATED INJURY OR DEATH, passes its second reading, by electronic vote (93-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

SPEAKER BLUE PRESIDING.

Committee Substitute for **H.B. 1109**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE MANAGEMENT OF NONHAZARDOUS SOLID WASTE, TO REDEFINE THE STATE SOLID WASTE MANAGEMENT GOALS, AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO THE SOLID WASTE MANAGEMENT LAWS, passes its second reading, by electronic vote (95-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 959, A BILL TO BE ENTITLED AN ACT CONCERNING REQUIRED TRAINING OF SUPERVISORS EMPLOYED BY THE STATE WITHIN THE FIRST YEAR OF APPOINTMENT OR PROMOTION.

On motion of Representative Fitch, Committee Amendments Nos. 1 and 2 are adopted.

The bill, as amended, passes its second reading, by electronic vote (82-8), and there being no objection is read a third time.

Representative Rhyme offers Amendment No. 3 which is adopted by electronic vote (92-0).

The bill, as amended, passes its third reading, by electronic vote (84-1), and is ordered engrossed and sent to the Senate by Special Message.

H.B. 1006, A BILL TO BE ENTITLED AN ACT TO MAINTAIN AND STRENGTHEN THE CURRENT ADMINISTRATION OF STATE GOVERNMENT'S EQUAL EMPLOYMENT OPPORTUNITY PROGRAM.

On motion of Representative Fitch, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (83-3), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

S.J.R. 593, A JOINT RESOLUTION SETTING THE DATE FOR THE SENATE AND HOUSE OF REPRESENTATIVES TO ELECT

MEMBERS OF THE STATE BOARD OF COMMUNITY COLLEGES.

On motion of Representative Black, the resolution is postponed indefinitely by electronic vote (90-0).

H.B. 724, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW PERTAINING TO IMMUNIZATION REQUIREMENTS, passes its second reading, by electronic vote (88-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

SUBCOMMITTEE REFERRAL

Representative Barnes, Chairman for the Standing Committee on Education, refers:

H.B. 628, A BILL TO BE ENTITLED AN ACT TO LIMIT THE NUMBER OF HOURS THAT YOUTHS ENROLLED IN SCHOOL ARE ALLOWED TO WORK, to the Permanent Subcommittee on Pre-School, Elementary and Secondary Education.

CALENDAR (continued)

Committee Substitute for **H.B. 416, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND CORRECTIVE CHANGES TO THE CHILD DAY CARE LAW,** passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 606, A BILL TO BE ENTITLED AN ACT TO ENABLE NORTH CAROLINA TO JOIN THE DRIVER LICENSE COMPACT.

Representative DeVane moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

Representative Beard moves that the motion to re-refer the bill to the Committee on Judiciary II be postponed indefinitely.

Representative Beard withdraws his motion to postpone indefinitely the motion to re-refer the bill to the Committee on Judiciary II.

Representative DeVane calls the previous question on the motion to withdraw the bill from the Calendar and re-refer to the Committee on Judiciary II and the call is sustained.

The bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

H.B. 872, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL SERVICES FOR HANDICAPPED PERSONS AT MOTOR FUEL FACILITIES.

On motion of Representative Miller, Committee Amendment No. 1 is adopted.

Representative Jordan offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (89-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

H.B. 1099, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT EVIDENCE THAT A MOTOR VEHICLE PASSED A STOPPED SCHOOL BUS IS PRIMA FACIE EVIDENCE THAT THE OWNER OF THE VEHICLE WAS OPERATING IT AT THE TIME OF THE VIOLATION, fails to pass its second reading by electronic vote (47-50).

H.B. 837, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN LAWS PROHIBITING THE USE OF POLITICAL INFLUENCE CONCERNING STATE EMPLOYMENT, passes its second reading, by electronic vote (96-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 325, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOBBYISTS AND THEIR EMPLOYERS OR RETAINERS TO KEEP EXPENSE RECORDS FOR THREE YEARS AFTER SUBMITTING EACH LOBBYING EXPENSE REPORT, TO INCREASE THE PUNISHMENT FOR MAKING FALSE AND MISLEADING STATEMENTS ON LOBBYISTS' EXPENSE REPORTS TO A CLASS I FELONY, TO PERMIT THE SECRETARY OF STATE TO INVESTIGATE AND REFER EVIDENCE OF VIOLATIONS OF ARTICLE 9A OF CHAPTER 120 OF THE GENERAL STATUTES DIRECTLY TO THE APPROPRIATE DISTRICT ATTORNEY, AND TO GRANT THE SECRETARY OF STATE THE AUTHORITY TO MAKE, AMEND, AND RESCIND RULES, FORMS, ORDERS, AND DEFINITIONS IN CONNECTION WITH THE REGULATION OF LOBBYISTS.

On motion of Representative Hensley, Committee Amendment No. 1 is adopted.

Representative Nesbitt offers Amendment No. 2.

Responding to inquiry by Representative Rhyne, the Speaker rules Amendment No. 2 requires a title change and is out of order.

Representative Nesbitt moves that the rules be suspended in order to consider Amendment No. 2.

Representative Nesbitt withdraws the motion to suspend the rules to consider Amendment No. 2.

Representative Nesbitt withdraws Amendment No. 2.

On motion of Representative Nesbitt, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary III.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Rogers for the Permanent Subcommittee on Pre-School, Elementary and Secondary Education of the Standing Committee on Education, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 628, A BILL TO BE ENTITLED AN ACT TO LIMIT THE NUMBER OF HOURS THAT YOUTHS ENROLLED IN SCHOOL ARE ALLOWED TO WORK, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 16. The original bill is placed on the Unfavorable Calendar.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative R. Hunter for the Committee on Judiciary III:

H.B. 979, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BUREAU OF INVESTIGATION TO INVESTIGATE CRIMES INVOLVING MISCONDUCT IN PUBLIC OFFICE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 16. The original bill is placed on the Unfavorable Calendar.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Church for the Permanent Subcommittee on Highways of the Standing Committee on Transportation, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 734, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COLLEGIATE INSIGNIA REGISTRATION PLATES, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

Committee Substitute for **H.B. 563, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA HUMAN RELATIONS COMMISSION TO BRING AN ACTION FOR AN**

INTERFERENCE OF CIVIL RIGHTS UNDER CHAPTER 99D OF THE GENERAL STATUTES.

On motion of Representative Cunningham, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by electronic vote (88-0).

Representative Pope objects to the third reading. The bill remains on the Calendar.

Representative Pope withdraws his objection to the third reading.

Representative Pope offers Perfecting Amendment No. 2 which is adopted by electronic vote (100-0).

The bill, as amended, passes its third reading, by electronic vote (101-0), and is ordered engrossed and sent to the Senate by Special Message.

H.B. 863, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT AT LEAST THIRTY-FIVE PERCENT OF THE PROCEEDS FROM BINGO GAMES BE USED FOR CHARITABLE PURPOSES.

On motion of Representative Privette, Committee Amendment No. 1 is adopted. This amendment changes the title.

The bill, as amended, passes its second reading, by electronic vote (93-0) and remains on the Calendar.

H.B. 868, A BILL TO BE ENTITLED AN ACT TO PROVIDE A MEANS OF RECORDING A NOTICE DOCUMENT PRIOR TO A REAL ESTATE CLOSING WHICH WOULD FIX AT THAT TIME THE PRIORITY OF TITLE DOCUMENTS RECORDED LATER IN CONNECTION WITH THAT REAL ESTATE CLOSING, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative R. Hunter, Committee Amendment No. 1 is adopted. This amendment changes the title.

On motion of Representative R. Hunter, Committee Amendment No. 2 is adopted.

The bill, as amended, passes its second reading by electronic vote (95-2).

Representative Judy Hunt objects to the third reading. The bill remains on the Calendar.

H.B. 976, A BILL TO BE ENTITLED AN ACT TO PROTECT FEDERAL OFFICERS AGAINST CIVIL LIABILITY WHEN ASSISTING STATE OR LOCAL LAW ENFORCEMENT OFFICERS,
passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

May 14, 1991

Mr. Speaker:

It is ordered that a message be sent your Honorable Body notifying you of the election by the Senate, as directed by G.S. 115D-2.1 and pursuant to H.J.R. 743, A JOINT RESOLUTION SETTING THE DATE FOR THE SENATE AND HOUSE OF REPRESENTATIVES TO ELECT MEMBERS OF THE STATE BOARD OF COMMUNITY COLLEGES, Resolution 12, of the following persons to the State Board of Community Colleges, for terms beginning July 1, 1991 and to expire June 30, 1997: Barbara Allen and Winifred Wood.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Kennedy for the Committee on Judiciary I:

H.B. 1025, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROVIDING MAPPING REQUIREMENTS FOR PLATS AND SUBDIVISIONS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 16. The original bill is placed on the Unfavorable Calendar.

RE-REFERRAL

On motion of Representative Diamont, **H.B. 1062, A BILL TO BE ENTITLED AN ACT TO PHASE IN CHANGES TO STAFF-CHILD RATIOS AND GROUP SIZES IN CHILD DAY CARE FACILITIES**, is withdrawn from the Calendar for May 15 and re-referred to the Committee on Appropriations.

On motion of Representative Hackney, seconded by Representative Jarrell, the House adjourns at 7:25 p.m. to reconvene May 15 at 8:30 a.m.

SIXTY-FIFTH DAY

HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1991

The House meets at 8:30 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Hackney, for the Committee on Rules, Appointments and Calendar reports the Journal of May 14 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Fletcher and Tallent for today.

REPRESENTATIVE WICKER, HOUSE MAJORITY LEADER
PRESIDING.

CALENDAR

Action is taken on the following:

S.B. 299, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF LEWISVILLE IN FORSYTH COUNTY.

On motion of Representative Gray, Committee Amendment No. 2 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barnes, Beall, Black, Brawley, Brown, Brubaker, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Dickson, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gamble, Gardner, Gray, Green, Greenwood, Hege, Hensley, Hightower, Holt, Howard, Huffman, Hurley, Isenhower, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Lewis, Ligon, Lineberry, Loflin, Lutz, McGee, McLaughlin, McLawhorn, Michaux, Miller, Morgan, Nye, Oldham, Pope, Privette, Redwine, Rhodes, Rogers, Russell, Smith, Stewart, Thompson, Wainwright, Wilmoth, Wilson, and Woodard - 71.

Voting in the negative: None.

Excused absences: Representatives Fletcher and Tallent - 2.

H.B. 739, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ANY EXTENSION OF THE CORPORATE LIMITS OF THE TOWN OF HOLDEN BEACH BE SUBJECT TO A REFERENDUM.

On motion of Representative Redwine, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (74-4), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

H.B. 863, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT AT LEAST TWENTY-FIVE PERCENT OF THE PROCEEDS FROM BINGO GAMES BE USED FOR CHARITABLE PURPOSES.

The bill, as amended, passes its third reading, by electronic vote (82-0), and is ordered engrossed and sent to the Senate by Special Message.

H.B. 868, A BILL TO BE ENTITLED AN ACT TO PROVIDE A MEANS OF RECORDING A NOTICE DOCUMENT PRIOR TO A REAL ESTATE CLOSING WHICH WOULD FIX AT THAT TIME THE PRIORITY OF TITLE DOCUMENTS RECORDED LATER IN CONNECTION WITH THAT REAL ESTATE CLOSING.

The bill, as amended, passes its third reading, by electronic vote (79-9), and is ordered engrossed and sent to the Senate by Special Message.

SPEAKER BLUE PRESIDING.

H.B. 984, A BILL TO BE ENTITLED AN ACT TO ADOPT A COMPARATIVE FAULT SYSTEM, fails to pass its second reading by electronic vote (34-73).

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 350, AN ACT TO CLARIFY THE LAW REGARDING THE EMPLOYMENT OF THE EXECUTIVE DIRECTOR OF THE COMMISSION OF INDIAN AFFAIRS. (CHAPTER 88)

On motion of the Chair, the House recesses at 10:05 a.m.

RECESS

The House meets at 1:00 p.m. pursuant to recess and is called to order by Majority Leader Wicker.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

Committee Substitute for **S.B. 117, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE COOPERATIVE EDUCATIONAL EFFORTS BETWEEN THE DEPARTMENT OF PUBLIC EDUCATION AND THE DEPARTMENT OF COMMUNITY COLLEGES,** is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 329, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AND CLARIFYING AMENDMENTS TO THE NURSING PRACTICE ACT,** is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 339, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS SUBSTANTIVE AMENDMENTS TO THE INSURANCE LAWS AND OTHER LAWS RELATED TO THE DEPARTMENT OF INSURANCE,** is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 342, A BILL TO BE ENTITLED AN ACT TO AMEND AND IMPROVE THE INSURANCE LAWS ON**

THE MONITORING OF THE FINANCIAL CONDITION OF INSURANCE COMPANIES IN ACCORDANCE WITH THE FINANCIAL REGULATION STANDARDS AND INSURANCE DEPARTMENT ACCREDITATION PROGRAM OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 410**, A BILL TO BE ENTITLED AN ACT TO AMEND THE ENVIRONMENTAL POLICY ACT OF 1971 AND TO MAKE THE ACT PERMANENT, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 448, A BILL TO BE ENTITLED AN ACT TO AMEND THE WATER SUPPLY WATERSHED PROTECTION ACT BY DELAYING THE ENFORCEMENT DATE, CLARIFYING LOCAL AND STATE POWERS AND DUTIES, AND IMPROVING ENFORCEMENT OF THE PROTECTION PROGRAM, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 581, A BILL TO BE ENTITLED AN ACT TO AMEND THE LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 710**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO MENTAL HEALTH CLIENTS' RIGHTS TO PREVENT UNNECESSARY DUPLICATION OF RULES, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 719**, A BILL TO BE ENTITLED AN ACT TO DECREASE THE PROJECT COST MINIMUM FOR APPLICABILITY OF CONTRACTORS LICENSURE REQUIREMENTS, TO CLARIFY EXEMPTION PROVISIONS, AND TO REQUIRE EVIDENCE OF INSURANCE COVERAGE TO BE DEMONSTRATED, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 725**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE PRIVATE INVESTIGATIONS REGULATORY ACT, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 727**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGULATION OF BED AND BREAKFAST INNS, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 749**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADDITIONAL METHOD FOR AN INDIVIDUAL TO DESIGNATE AN ATTORNEY-IN-FACT TO MAKE HEALTH CARE DECISIONS, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 760**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING THE

QUALIFICATIONS OF NURSING HOME ADMINISTRATORS, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for S.B. 770, A BILL TO BE ENTITLED AN ACT TO ENHANCE MENTAL HEALTH, MENTAL RETARDATION, AND SUBSTANCE ABUSE CARE IN LOCAL CONFINEMENT FACILITIES, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for S.B. 771, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING MENTAL HEALTH CLIENTS' RECORDS, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for S.B. 779, A BILL TO BE ENTITLED AN ACT TO REGULATE RENTAL HOUSING LISTING SERVICES, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.J.R. 947, A JOINT RESOLUTION TO RECOGNIZE THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for S.B. 155, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATIVE RULE-MAKING PROCESS, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 193, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE RUNOFF PRIMARY, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 274, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SALE OF SURPLUS RIGHT-OF-WAY BY THE DEPARTMENT OF TRANSPORTATION, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 324, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STUDENT ASSIGNMENT LAW AND TO PROVIDE FOR THE ASSIGNMENT OF CHILDREN OF HOMELESS INDIVIDUALS AND OF HOMELESS CHILDREN, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 423, A BILL TO BE ENTITLED AN ACT TO CHANGE THE STATUTE OF LIMITATIONS FOR ALL WRONGFUL DEATH ACTIONS TO WITHIN THREE YEARS OF THE DATE OF DEATH, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 742, A BILL TO BE ENTITLED AN ACT TO AMEND THE REGULATION OF MEDICAL DEVICES BY THE STATE BOARD

OF PHARMACY, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 807, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE MEMBERSHIP AND ELECTION OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 814, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE ADVISORY COMMITTEE ON HOME AND COMMUNITY CARE FOR OLDER ADULTS,** is read the first time and referred to the Committee on Rules, Appointments and Calendar.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

Committee Substitute for **S.B. 638, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN CITIES AND COUNTIES TO TAKE INTO CONSIDERATION PROSPECTIVE REVENUES GENERATED BY THE DEVELOPMENT IN ARRIVING AT THE AMOUNT OF CONSIDERATION FOR AN ECONOMIC DEVELOPMENT CONVEYANCE,** is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 707, A BILL TO BE ENTITLED AN ACT TO PROVIDE PROCEDURES FOR THE RETURN OF CONDEMNED PROPERTY,** is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 715, A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW RELATING TO THE ISSUANCE OF ABC PERMITS TO SPORTS CLUBS, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Hardaway for the Committee on Commerce:

H.B. 909, A BILL TO BE ENTITLED AN ACT TO PROVIDE REDUCED INSURANCE RATES FOR REDUCED COVERAGES, with a favorable report, as amended.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative J. W. Crawford for the Permanent Subcommittee on Water, Air and Soil of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 1032, A BILL TO BE ENTITLED AN ACT TO VEST AUTHORITY IN THE SECRETARY OF ENVIRONMENT, HEALTH,

AND NATURAL RESOURCES TO GRANT SHELLFISH CULTIVATION LEASES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Appointments and Calendar.

The committee substitute bill is re-referred to the Committee on Rules, Appointments and Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Barnhill for the Permanent Subcommittee on Health and Mental Health of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 673, A BILL TO BE ENTITLED AN ACT TO CORRECT A TYPOGRAPHICAL ERROR IN THE LAW PROVIDING FOR AN EXEMPTION FROM THE DEFINITION OF THE PRACTICE OF DENTISTRY FOR SUPERVISED NURSE ANESTHETISTS INVOLVED IN THE ADMINISTRATION OF ANESTHESIA, with a favorable report.

CALENDAR (continued)

Committee Substitute for **H.B. 588, A BILL TO BE ENTITLED AN ACT TO REQUIRE HOSPITALS TO ITEMIZE CHARGES ON DISCHARGED PATIENT'S BILL.**

Representative Morgan offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (79-7), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Committee Substitute for **H.B. 828, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REQUIRING TEACHER AND ADMINISTRATOR INVOLVEMENT IN THE DEVELOPMENT OF LOCAL SCHOOL IMPROVEMENT PLANS.**

Representative Diamont offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (97-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

H.B. 832, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF A FIREARM WHILE UNDER THE INFLUENCE OF ALCOHOL OR ANY OTHER IMPAIRING SUBSTANCE.

Representative Wilson offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (94-7), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Committee Substitute for **H.B. 993**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE MEMBERSHIP OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

Representative Warner requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill fails to pass its second reading by electronic vote (28-77).

Committee Substitute for **H.B. 158**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A 45-DAY REVOCATION OF THE DRIVERS LICENSE OF A PERSON AT LEAST 18 YEARS OLD AND UNDER 21 YEARS WHO IS CONVICTED OF DRIVING A MOTOR VEHICLE AFTER CONSUMING ANY ALCOHOL OR DRUGS, fails to pass its second reading by electronic vote (42-59).

Committee Substitute for **H.B. 283**, A BILL TO BE ENTITLED AN ACT TO MAKE IT A MISDEMEANOR TO ASSAULT AN ENVIRONMENTAL HEALTH OFFICIAL AND A FELONY TO ASSAULT AN ENVIRONMENTAL HEALTH OFFICIAL WITH A DEADLY WEAPON, passes its second reading, by electronic vote (95-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Gist for the Committee on Local and Regional Government I:

H.B. 573, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE ALL OF THE SCHOOL ADMINISTRATIVE UNITS IN GUILFORD COUNTY OR TO PROVIDE FOR THE TWO CITY SCHOOL ADMINISTRATIVE UNITS IN THAT COUNTY TO HAVE BOUNDARIES COTERMINOUS WITH THE CITIES, SUBJECT TO A REFERENDUM, with a favorable report as to committee substitute bill, as amended, which changes the title, unfavorable as to original bill.

The committee substitute bill, as amended, is placed on the Calendar for May 20. The original bill is placed on the Unfavorable Calendar.

S.B. 260, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF TOBACCOVILLE, SUBJECT TO A REFERENDUM, TO AMEND THE CHARTER OF THE CITY OF KING, AND TO AUTHORIZE ENTRY INTO AND RECORDATION OF AN AGREEMENT, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Gist, Committee Amendment No. 1 is adopted.

The bill, as amended, is re-referred to the Committee on Finance.

S.B. 495, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CONTRACTS FOR A SIXTY-FOUR-BED ADDITION TO THE PRESENT JAIL FACILITY OF WILSON COUNTY FROM THE REQUIREMENTS OF THE PUBLIC BIDDING LAWS, with a favorable report.

S.B. 502, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE "NO-WAKE" SPEED ZONE FOR MOTORBOATS IN TOPSAIL SOUND IN PENDER COUNTY, with a favorable report.

S.B. 510, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PROCEDURE FOR CERTIFYING MUNICIPAL AD VALOREM TAX VALUATIONS IN WAKE COUNTY TO THE WAKE COUNTY BOARD OF ALCOHOLIC CONTROL, with a favorable report.

S.B. 575, A BILL TO BE ENTITLED AN ACT ADDING CASWELL COUNTY TO THOSE COUNTIES AUTHORIZED TO REGULATE TRESPASSING TO HUNT OR FISH ON PRIVATE LANDS BY LOCAL ORDINANCE, with a favorable report.

S.B. 632, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING THE GUILFORD COUNTY OCCUPANCY TAX, with a favorable report.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Thompson for the Permanent Subcommittee on Solid Waste of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 960, A BILL TO BE ENTITLED AN ACT TO PHASE IN THE USE OF REUSABLE HAND TOWELS IN STATE OFFICES THROUGHOUT THE STATE BY JANUARY 1, 1994, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

CALENDAR (continued)

Committee Substitute for **H.B. 552**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SUSPENSION OR REVOCATION OF PROFESSIONAL AND OCCUPATIONAL LICENSES OR CERTIFICATIONS OF A DEFENDANT CONVICTED OF A STATE OR FEDERAL DRUG OFFENSE.

Representative Wicker offers Amendment No. 1.

Representative Redwine inquires if the amendment causes the title to be incomplete. The Speaker rules that the title correctly describes the bill with the amendment.

Representative Wicker calls the previous question on the amendment and the call is sustained.

The vote on Amendment No. 1 having resulted in a tie, the Speaker votes "aye" and the amendment is adopted by electronic vote (55-54).

The bill, as amended, passes its second reading by electronic vote (99-10).

Representative Kimsey objects to the third reading. The bill remains on the Calendar.

Representative Kimsey withdraws his objection to the third reading.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Committee Substitute for **H.B. 838, A BILL TO BE ENTITLED AN ACT TO MAKE THE DESTRUCTION OF ANY LAWFULLY GROWN CROP, PASTURE, OR PROVENDER A CRIMINAL OFFENSE**, passes its second reading by electronic vote (99-0).

Representative Hightower objects to the third reading. The bill remains on the Calendar.

Representative Hightower withdraws his objection to the third reading.

Representative Hightower offers Amendment No. 1 which is adopted by electronic vote (96-1).

The bill, as amended, passes its third reading, by electronic vote (101-0), and is ordered engrossed and sent to the Senate by Special Message.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Albertson for the Permanent Subcommittee on Crops and Animal Husbandry:

H.B. 1061, A BILL TO BE ENTITLED AN ACT TO REQUIRE BONDS OF DISTRIBUTORS AND SUBDISTRIBUTORS OF MILK, reported to the Standing Committee on Agriculture, with an indefinite postponement report.

By Representative Albertson for the Permanent Subcommittee on Crops and Animal Husbandry of the Standing Committee on Agriculture, with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 507, A BILL TO BE ENTITLED AN ACT TO DELETE BOND REQUIREMENTS FOR SEED DEALERS AND FERTILIZER MANUFACTURERS, with a favorable report.

S.B. 508, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FEE FOR FEED TESTING, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

S.B. 509, A BILL TO BE ENTITLED AN ACT REGARDING DESIGNATION OF AGRICULTURAL PRODUCTS PRODUCERS'

AGENCIES FOR THE PURPOSE OF FEDERAL COMMODITY ASSESSMENT PROGRAMS, with a favorable report.

S.B. 654, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT RULES FOR THE STORAGE OF FERTILIZER MATERIALS, with a favorable report.

S.B. 669, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A PORK PROMOTION ASSESSMENT, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Albertson, Committee Amendment No. 1 is adopted.

The bill, as amended, is re-referred to the Committee on Finance.

CALENDAR (continued)

Committee Substitute for **H.B. 850**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO ADOPT RULES SPECIFYING MINIMUM INDEXING STANDARDS IN LAND RECORDS MANAGEMENT AND TO REQUIRE REGISTER OF DEEDS OFFICES TO COMPLY WITH THOSE INDEXING STANDARDS, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 498**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE QUALIFICATIONS FOR THE POSITION OF LOCAL HEALTH DIRECTOR, AND TO ESTABLISH A HEALTH DIRECTOR QUALIFICATION REVIEW COMMITTEE.

Representative Green offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (87-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Committee Substitute for **H.B. 1107**, A BILL TO BE ENTITLED AN ACT TO ALLOW DOGS IN HOTEL ROOMS AT THE INN-KEEPER'S PREROGATIVE, passes its second reading, by electronic vote (66-34), and there being no objection is read a third time.

The bill passes its third reading, by electronic vote (63-35), and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 96**, A BILL TO BE ENTITLED AN ACT TO MAKE AN ADVANCE DIRECTIVE FOR HEALTH CARE MATTERS AN OPTIONAL PART OF THE "RIGHT TO NATURAL DEATH" LAW.

Representative Gamble offers Amendment No. 1 which is adopted. REPRESENTATIVE COLTON, SPEAKER PRO TEMPORE PRESIDING.

The bill, as amended, passes its second reading, by electronic vote (79-3), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Committee Substitute for **H.B. 590**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT OPEN CONTAINERS OF ALCOHOLIC BEVERAGES IN MOTOR VEHICLES EXCEPT FOR MOTOR HOMES AND CERTAIN FOR-HIRE VEHICLES.

On motion of Representative R. Hunter, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

Committee Substitute for **H.B. 406**, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN TRUCKS REQUIRED TO BE INSPECTED UNDER FEDERAL REGULATIONS FROM HAVING TO ALSO BE INSPECTED UNDER THE STATE INSPECTION PROGRAM, passes its second reading, by electronic vote (76-9), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Representative Lewis, having voted with the majority, moves that the vote by which **H.B. 1099**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT EVIDENCE THAT A MOTOR VEHICLE PASSED A STOPPED SCHOOL BUS IS PRIMA FACIE EVIDENCE THAT THE OWNER OF THE VEHICLE WAS OPERATING IT AT THE TIME OF THE VIOLATION, failed to pass its second reading on May 14, 1991 be reconsidered. This motion fails by electronic vote (41-50).

H.B. 967, A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA TO BECOME MEMBERS OF A JOINT MUNICIPAL ASSISTANCE AGENCY AND TO PERMIT ASSOCIATE MEMBERSHIPS TO SUCH AGENCY, passes its second reading, by electronic vote (87-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1108, A BILL TO BE ENTITLED AN ACT TO ENACT THE PUBLIC BATHROOM EQUITY ACT.

On motion of Representative Luebke, Committee Amendment No. 1 is adopted by electronic vote (52-41).

On motion of Representative Luebke, Committee Amendment No. 2 is adopted.

SPEAKER BLUE PRESIDING.

On motion of Representative Pope, Amendment No. 3 is adopted.

The bill, as amended, passes its second reading, by electronic vote (73-21), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

H.B. 499, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MISSION AND ESSENTIAL SERVICES OF THE PUBLIC HEALTH SYSTEM.

Representative Hackney offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (78-10).

Representative Mavretic objects to the third reading. The bill remains on the Calendar.

H.B. 575, A BILL TO BE ENTITLED AN ACT TO BROADEN COVERAGE UNDER THE STATE SCHOLARSHIP PROGRAM TO INCLUDE CHILDREN OF WAR VETERANS WITH ANY DISABILITY RATING, passes its second reading, by electronic vote (84-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 985, A BILL TO BE ENTITLED AN ACT TO CLARIFY A CITY'S AUTHORITY TO REQUIRE PARTICIPATION IN ANY COLLECTION AND DISPOSAL SERVICES PROVIDED BY THE CITY.

Representative Payne offers Amendment No. 1 which is adopted.

On motion of Representative Payne, the bill is withdrawn from the Calendar, ordered engrossed and re-referred to the Committee on Finance.

Committee Substitute for H.B. 14, A BILL TO BE ENTITLED AN ACT TO REVISE THE OPEN MEETINGS LAW AND THE EXECUTIVE BUDGET ACT IN ORDER TO ENHANCE OPEN GOVERNMENT, passes its second reading, by electronic vote (106-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

On motion of the Chair, the House recesses at 6:00 p.m.

RECESS

The House meets at 6:45 p.m. pursuant to recess and is called to order by Speaker Blue.

CALENDAR (continued)

Committee Substitute for **H.B. 627**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE APPOINTMENT OF PUBLIC MEMBERS TO THE HEALTH SERVICES COMMISSION, passes its second reading by electronic vote (45-13).

The Speaker rules, after an electronic quorum check, that the vote is (60-9).

There being no objection, the bill is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 457**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DENIAL OF STATE AID FOR HIGHER EDUCATION FOR CERTAIN DRUG CONVICTIONS, passes its second reading by electronic vote (59-38).

Representative Fitch objects to the third reading. The bill remains on the Calendar.

H.B. 190, A BILL TO BE ENTITLED AN ACT ALLOWING JUDGMENT FOR EQUITABLE DISTRIBUTION TO BE ENTERED PRIOR TO ENTRY OF DIVORCE DECREE IN CERTAIN CASES.

Representative Rhyne offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

H.B. 417, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN ACTION UNDER THE CHAPTER OF LAW CONCERNING DIVORCE AND ALIMONY TO PROTECT THE PROPERTY OF AN INCOMPETENT SPOUSE BUT TO PREVENT THE ENTRY OF A DIVORCE DECREE ON BEHALF OF THE INCOMPETENT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative Kennedy, Committee Amendment No. 1 is adopted.

Representative Hackney offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (89-11), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

H.B. 930, A BILL TO BE ENTITLED AN ACT TO ENTITLE EMPLOYEES TO PARENTAL LEAVE UPON THE BIRTH OR ADOPTION OF A CHILD.

On motion of Representative Kennedy, consideration of the bill is postponed until May 16.

H.B. 935, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CLAIMS REVIEW PANEL FOR CIVIL ACTIONS INVOLVING ARCHITECTURAL SERVICES.

On motion of Representative Wicker, Committee Amendments Nos. 1 and 2 are adopted.

The bill, as amended, passes its second reading by electronic vote (54-48).

Representative Michaux objects to the third reading. The bill remains on the Calendar.

H.B. 1082, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LIABILITY OF LANDOWNERS TO MEMBERS OF THE PUBLIC ENTERING THE LAND FOR EDUCATIONAL AND RECREATIONAL PURPOSES.

Representative Anderson offers Amendment No. 1 which is adopted.

Representative Nesbitt moves that the bill be re-referred to the Committee on Judiciary II. This motion fails by electronic vote (50-54).

Representative Anderson calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading by electronic vote (58-48).

Representative Anderson objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 1064, A BILL TO BE ENTITLED AN ACT TO AMEND THE AXLE REQUIREMENTS FOR MOTOR HOMES AND CERTAIN TRUCKS.**

Representative Robinson offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

Committee Substitute for **S.B. 151, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE NATURAL AND SCENIC RIVERS SYSTEM AND TO REQUIRE ZONING AND OTHER LAND-USE CONTROLS TO PROTECT DESIGNATED RIVERS**, is read the first time and referred to the Committee on Environment.

Committee Substitute for **S.B. 181, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM UNDER THE ADMINISTRATIVE OFFICE OF THE COURTS REGARDING JUVENILE COURT JURISDICTION OVER JUVENILES BETWEEN 16 AND 18**

YEARS OF AGE WHO ARE BEYOND THE DISCIPLINARY CONTROL OF THEIR PARENTS, is read the first time and referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

S.B. 269, A BILL TO BE ENTITLED AN ACT TO ALLOW THE HIGHWAY FUND TO BE REIMBURSED BY THE HIGHWAY TRUST FUND FOR THE AMOUNT OF HIGHWAY FUND REVENUE USED TO MATCH FEDERAL FUNDS APPLIED TO A HIGHWAY TRUST FUND PROJECT, is read the first time and referred to the Committee on Appropriations.

Committee Substitute **S.B. 283**, A BILL TO BE ENTITLED AN ACT TO AMEND THE WEIGHTS AND MEASURES ACT, is read the first time and referred to the Committee on Judiciary II.

S.B. 393, A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE NORTH CAROLINA UNIFORM CUSTODIAL TRUST ACT AND TO MAKE CONFORMING AMENDMENTS TO THE POWER OF ATTORNEY STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary I.

S.B. 458, A BILL TO BE ENTITLED AN ACT MAKING TECHNICAL CHANGES TO THE LAWS ADMINISTERED BY THE OFFICE OF THE STATE CONTROLLER AND TO REPEAL OBSOLETE LAWS, is read the first time and referred to the Committee on State Government.

Committee Substitute for **S.B. 486**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALEXANDER COUNTY BOARD OF EDUCATION TO REDISTRICT, is read the first time and referred to the Committee on Local and Legislative Redistricting.

S.B. 503, A BILL TO BE ENTITLED AN ACT TO PROVIDE PROCEDURES FOR RECALL FROM OFFICE ELECTED CITY, COUNTY, AND SCHOOL OFFICIALS IN CABARRUS COUNTY, THE CITY OF KANNAPOLIS, AND THE KANNAPOLIS CITY SCHOOL ADMINISTRATIVE UNIT, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 516, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES' ADOPTION OF STANDARDS FOR SERVICE DELIVERY TO DEPARTMENT OF CORRECTION INMATES, is read the first time and referred to the Committee on Human Resources.

S.B. 631, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELECTION DATE FOR THE BOARD OF EDUCATION OF THE GREENSBORO CITY SCHOOL ADMINISTRATIVE UNIT TO BE THE SAME AS FOR THE CITY OF GREENSBORO, is read the first time and referred to the Committee on Local and Regional Government I.

Committee Substitute for **S.B. 679**, A BILL TO BE ENTITLED AN ACT TO INCLUDE GEOLOGISTS AND OCCUPATIONAL

THERAPISTS WITHIN THE DEFINITION OF PROFESSIONAL SERVICE IN THE PROFESSIONAL CORPORATION ACT, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 746**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE USE OF MOTORIZED WHEELCHAIRS OR SIMILAR VEHICLES NOT EXCEEDING 1000 POUNDS GROSS WEIGHT FOR PEDESTRIAN PURPOSES BY PERSONS WITH MOBILITY IMPAIRMENTS, is read the first time and referred to the Committee on Transportation.

S.B. 780, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAW RESTRICTING THE EXERCISE OF POWER FOR A FIDUCIARY'S BENEFIT, is read the first time and referred to the Committee on Judiciary III.

Committee Substitute for **S.B. 821**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ISSUANCE OF A PERMIT FOR A NEW SANITARY LANDFILL OR FOR AN EXPANSION OF AN EXISTING SANITARY LANDFILL LOCATED IN CERTAIN CLASSIFIED WATER SUPPLY WATERSHEDS, is read the first time and referred to the Committee on Environment.

S.B. 934, A BILL TO BE ENTITLED AN ACT TO PERMIT COMMITMENT TO SATELLITE JAIL/WORK RELEASE UNITS, is read the first time and referred to the Committee on Judiciary II.

CALENDAR (continued)

Committee Substitute for **H.B. 397**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE COURTS TO EQUITABLY DIVIDE PENSION, RETIREMENT, AND DEFERRED COMPENSATION PLAN BENEFITS, passes its second reading, by electronic vote (95-3), and there being no objection is read a third time.

The bill, passes its third reading and is ordered sent to the Senate by Special Message.

Representative Colton moves, seconded by Representative Hackney, subject to notices and announcements, that the House do adjourn. This motion fails by electronic vote (46-57).

H.B. 493, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STATE ASSISTANCE AND INTERVENTION IN LOW PERFORMING SCHOOL UNITS.

On motion of Representative Nesbitt, Committee Amendments Nos. 1, 2, 3, 4, 5 and 6 are adopted.

The bill, as amended, passes its second reading by electronic vote (83-17).

Representative Nesbitt objects to the third reading. The bill remains on the Calendar.

H.B. 1072, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CHILD VICTIM MAY TESTIFY IN COURT IN CERTAIN

CRIMINAL CASES BY MEANS OF CLOSED CIRCUIT TELEVISION.

On motion of Representative Rhyne, Committee Amendment No. 1 is adopted.

Representative Barnes offers Amendment No. 2 which is adopted.

Representative Kerr moves that the bill be re-referred to the Committee on Appropriations.

Representative Kerr calls the previous question on the motion and the call is sustained.

The motion to re-refer the bill to the Committee on Appropriations fails.

Representative Hensley offers Amendment No. 3.

On motion of Representative DeVane, seconded by Representative Jones, Amendment No. 3 is tabled by electronic vote (76-18).

Representative Rhyne calls the previous question on the bill and the call is sustained.

The bill, as amended, passes its second reading, by electronic vote (97-7), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

On motion of Representative Hackney, seconded by Representative Rhyne, the House adjourns at 10:35 p.m., by electronic vote (55-47), to reconvene May 16 at 12:00 noon.

SIXTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Thursday, May 16, 1991

The House meets at 12:00 noon pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Stamey, for the Committee on Rules, Appointments and Calendar reports the Journal of May 15 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bowen, Dickson, Fletcher, Jack Hunt, Jeffus, and Thompson for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative James:

H.J.R. 1289, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ISSUE OF STATE REGULATION OF THE AERIAL APPLICATION OF PESTICIDES, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Gray:

H.R. 1290, A HOUSE RESOLUTION PETITIONING THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS TO EXAMINE CONTEMPORARY BUDGETING PRACTICES IN NORTH CAROLINA AND OTHER STATES, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Greenwood, Beall, Colton, N. J. Crawford, Flaherty, Howard, Justus, Nesbitt, and Ramsey:

H.J.R. 1291, A JOINT RESOLUTION URGING THE RENAMING OF THE MCLEOD CENTER RESIDENTIAL TREATMENT CENTER AS THE ROBERT S. SWAIN RESIDENTIAL TREATMENT CENTER, IN HONOR OF SENATOR ROBERT S. SWAIN, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Hardaway, Barnhill, Cunningham, Fitch, Gist, Green, Sam Hunt, Jeralds, Kennedy, McAllister, Michaux, Oldham, Smith, and Wainwright:

H.J.R. 1292, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY WAYS THE STATE COULD ENCOURAGE MINORITIES TO VISIT THE STATE, is referred to the Committee on Rules, Appointments and Calendar.

CALENDAR

Action is taken on the following:

S.B. 299, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF LEWISVILLE IN FORSYTH COUNTY.

On motion of Representative Gray, consideration of the bill is postponed until May 21.

Committee Substitute No. 2 for **H.B. 653**, A BILL TO BE ENTITLED AN ACT TO CREATE A TAX COMMISSION FOR RANDOLPH COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

SUSPENSION OF RULE 41(b)

Representative Mavretic moves that House Rule 41(b) be suspended until noon time Friday, May 17.

Representative Mavretic calls the previous question on the motion to suspend House Rule 41(b).

Representative Hackney moves that the call for the previous question on the motion to suspend House Rule 41(b) be postponed indefinitely.

Representative Hackney withdraws the motion to postpone indefinitely the call for the previous question on the motion to suspend House Rule 41(b).

The call for the previous question on the motion to suspend House Rule 41(b) is sustained.

The question before the House is the motion to suspend House Rule 41(b) until noon, Friday, May 17. This motion fails by electronic vote (34-69).

CALENDAR (continued)

Committee Substitute for **H.B. 457, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DENIAL OF STATE AID FOR HIGHER EDUCATION FOR CERTAIN DRUG CONVICTIONS.**

Representative Michaux offers Amendment No. 1 which is adopted by electronic vote (60-45).

Representative Rogers moves that the bill be temporarily displaced and this motion fails.

The bill, as amended, passes its third reading, by electronic vote (60-43), and is ordered engrossed and sent to the Senate by Special Message.

H.B. 499, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MISSION AND ESSENTIAL SERVICES OF THE PUBLIC HEALTH SYSTEM.

Representative Mavretic offers Amendment No. 2 which is adopted by electronic vote (90-0).

The bill, as amended, passes its third reading, by electronic vote (90-4), and is ordered engrossed and sent to the Senate by Special Message.

H.B. 1082, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LIABILITY OF LANDOWNERS TO MEMBERS OF THE PUBLIC ENTERING THE LAND FOR EDUCATIONAL AND RECREATIONAL PURPOSES.

Representative Anderson offers Amendment No. 2 which is adopted by electronic vote (82-0).

On motion of Representative Anderson, the vote by which Amendment No. 2 was adopted is reconsidered.

On motion of Representative Anderson, the vote by which the bill passed its second reading is reconsidered.

On motion of Representative Anderson, the vote by which Amendment No. 1 was adopted is reconsidered.

Representative Anderson offers Amendment No. 3 which is adopted.

Representative Nesbitt moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary II. This motion fails.

The bill, as amended, passes its second reading, by electronic vote (66-27), and there being no objection is read a third time.

Representative R. Hunter offers Amendment No. 4 which is adopted by electronic vote (90-0).

The bill, as amended, passes its third reading, by electronic vote (75-18), and is ordered engrossed and sent to the Senate by Special Message.

H.B. 935, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CLAIMS REVIEW PANEL FOR CIVIL ACTIONS INVOLVING ARCHITECTURAL SERVICES.

Representative Barnes offers Amendment No. 3 which is adopted by electronic vote (60-46).

The bill, as amended, passes its third reading, by electronic vote (96-8), and is ordered engrossed and sent to the Senate by Special Message.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

Committee Substitute for **S.B. 232, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE ELECTION OF THE GOVERNOR, LIEUTENANT GOVERNOR, AND THE REST OF THE COUNCIL OF STATE TO THE NONPRESIDENTIAL EVEN-NUMBERED YEAR, WITH SIX-YEAR TRANSITIONAL TERMS TO BE FILLED BY THE 1992 ELECTIONS**, is read the first time and referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

S.B. 403, A BILL TO BE ENTITLED AN ACT TO PROVIDE INCREASED SENTENCES FOR CRIMES COMMITTED WITH ETHNIC ANIMOSITY, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 451, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE INVESTIGATION AND ENFORCEMENT OF CRIMES AGAINST THE ENVIRONMENT, TO DECLARE UNLAWFUL DISCHARGES TO BE CRIMES AND TO ESTABLISH A THREE-YEAR STATUTE OF LIMITATION FOR THE COLLECTION OF CERTAIN ENVIRONMENTAL CIVIL PENALTIES**, is read the first time and referred to the Committee on Environment.

Committee Substitute for **S.B. 538, A BILL TO BE ENTITLED AN ACT CONCERNING THE JOHNSTON COUNTY BOARD OF**

EDUCATION, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 726, A BILL TO BE ENTITLED AN ACT CONCERNING THE WORKERS' COMPENSATION SECURITY FUND, is read the first time and referred to the Committee on Economic Expansion.

S.B. 792, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IT IS A CLASS I FELONY TO MAKE FALSE BOMB THREATS OR SCARES REGARDING A HOSPITAL FACILITY, is read the first time and referred to the Committee on Judiciary III.

S.B. 798, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL SCHOOL BOARDS TO DEVELOP POLICIES REGARDING CORPORAL PUNISHMENT IN THEIR SCHOOLS, is read the first time and referred to the Committee on Education.

CALENDAR (continued)

H.B. 493, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STATE ASSISTANCE AND INTERVENTION IN LOW PERFORMING SCHOOL UNITS.

Representative Nesbitt calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its third reading, by electronic vote (86-22), and is ordered engrossed and sent to the Senate by Special Message.

Representative Dawkins moves, seconded by Representative Beall, subject to the reading of notices and announcements, that the House do now adjourn. This motion fails.

SUSPENSION OF RULE 41(b)

Representative Miller moves that House Rule 41(b) be suspended in order that **H.B. 754, H.B. 508, H.B. 513, and H.B. 1009** may have their second and third readings today.

Representative Miller withdraws his motion to suspend House Rule 41(b).

CALENDAR (continued)

H.B. 754, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP EQUIPMENT STANDARDS FOR VOCATIONAL EDUCATION PROGRAMS.

Representative Diamont offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (93-0).

Representative Mavretic objects to the third reading. The bill remains on the Calendar.

Representative Smith moves that the rules be suspended in order for the bill to be read a third time.

Representative Smith calls the previous question on the motion and the call is sustained.

A division having been called, the motion to suspend the rules in order for the bill to be read a third time carries by electronic vote (72-36). The Speaker rules this is a two-thirds majority vote.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

H.B. 508, A BILL TO BE ENTITLED AN ACT TO CREATE THE FELONY OFFENSE OF FORTIFYING A STRUCTURE USED FOR THE ILLEGAL SALE, DELIVERY, MANUFACTURE, OR POSSESSION OF A CONTROLLED SUBSTANCE FOR THE PURPOSE OF SUPPRESSING OR IMPEDING LAW ENFORCEMENT ENTRY.

On motion of Representative Huffman, Committee Amendment No. 1 is adopted. This amendment changes the title.

Responding to inquiry, the Speaker states that under House Rule 31(d), the bill would not be eligible for its third reading today.

Representative Hackney, having voted with the prevailing side, moves that the vote by which Committee Amendment No. 1 was adopted be reconsidered. This motion carries.

On motion of Representative Hackney, Committee Amendment No. 1 fails of adopted by electronic vote (6-58).

Representative Hackney offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (67-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Representative Lewis is granted permission to be recorded as voting "yes" on the bill.

H.B. 513, A BILL TO BE ENTITLED AN ACT TO CREATE THE MISDEMEANOR OFFENSE OF ETHNIC INTIMIDATION AND TO ADD ETHNIC ANIMOSITY AS AN AGGRAVATING FACTOR TO BE CONSIDERED IN FELONY SENTENCES.

On motion of Representative Flaherty, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by electronic vote (96-0).

Representative Mavretic objects to the third reading. The bill remains on the calendar.

Representative Mavretic withdraws his objection to the third reading.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

H.B. 1009, A BILL TO BE ENTITLED AN ACT TO PROVIDE JUST COMPENSATION PROCEDURES.

Representatives Rhyne, Beall, Morgan, and Ramsey requests that they be excused from voting on this bill under Rule 24.1A and this request is granted.

Representative Sam Hunt calls the previous question on Committee Amendment No. 1 and the call is sustained.

On motion of Representative Sam Hunt, Committee Amendment No. 1 is adopted.

Representative Hackney moves that the bill, as amended, be withdrawn from the Calendar and re-referred to the Committee on Judiciary III.

Representative Sam Hunt moves, seconded by Representative Loflin, that the motion to re-refer the bill to the Committee on Judiciary III do lie upon the table. This motion fails by electronic vote (48-54).

Representative Hackney calls the previous question on the motion to withdraw the bill from the Calendar and re-refer to the Committee on Judiciary III.

Representative Mavretic moves that the call for the previous question on the motion to withdraw the bill from the Calendar and re-refer to the Committee on Judiciary III be postponed indefinitely. This motion fails.

The question before the House is the call for the previous question on the motion to re-refer the bill to the Committee on Judiciary III and the call is sustained.

The question before the House is the motion to withdraw the bill from the Calendar and re-refer to the Committee on Judiciary III. This motion fails by electronic vote (46-60).

Representative Sam Hunt calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading, by electronic vote (61-42).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

Representative Sam Hunt moves that the rules be suspended in order for the bill to be read a third time.

Representative Dawkins moves, seconded by Representative Holt, that the motion to suspend the rules in order for the bill to be read a third time, do lie upon the table. This motion fails by electronic vote (39-61).

The question before the House is the motion to suspend the rules in order for the bill to be read a third time. This motion fails by electronic vote (62-38). The Speaker rules this is not a two-thirds majority vote.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

May 16, 1991

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that pursuant to motion, the Senate agrees to accept on Monday, May 20, 1991, under the provisions of Senate Rule 41(b) bills and resolutions appearing on the May 16, 1991 Calendar for the House of Representatives, and bills placed on the Calendar by motion, which passed 3rd reading today, May 16, all messages now received by the Senate from the House of Representatives but not read on the Senate floor, and all bills and resolutions making appointments by the President of the Senate, the President Pro Tempore and the Speaker of the House of Representatives filed by today will be eligible for consideration.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

May 16, 1991

Mr. Speaker:

It is ordered that a message be sent your Honorable Body in compliance with House Rule 31.1(d) and Senate Rule 41(b) with the information that the Senate has passed the following bills which have been ordered engrossed prior to being sent to the House of Representatives:

SB 12	JOHNSON	APA RULE MAKING APPLIES TO ALL DEPTS. (2nd Ed.)
SB 61	SHAW	SENATE PRESIDENT'S APPTS. -2 COM SUB (2nd Ed.)
SB 62	SHAW	SENATE PRESIDENT'S APPTS. -3 COM SUB (2nd Ed.)
SB 84	COM SUB	WATER PROJECTS PLAN (3rd Ed.) (Id H 124)
SB 386	COM SUB	ECO. IMPACT REQ./EXCEED US AIR/ WATER REGS. (3rd Ed.) (Id H 589)
SB 430	COM SUB	WINE DIST. AGREEMENTS ACT (3rd Ed.)
SB 485	COM SUB	ELECTION LAW REFORM (2nd Ed.)
SB 501	COM SUB	DUPLIN INDUSTRIAL SITE (2nd Ed.)
SB 657	SOLES	WORKERS' COMP/THIRD PARTIES (2nd Ed.)

SB 678	COM SUB	HUNTER CRIMINAL NEGLIGENCE (3rd Ed.)
SB 688	SANDS	INSURANCE RATE EQUITY (2nd Ed.) (Id H 909)
SB 801	COM SUB	PRESIDENT PRO TEMPORE APPOINTMENTS (3rd Ed.)
SB 822	COM SUB	UNC BD. OF GOV. CHANGES (3rd Ed.)
SB 828	STATON	CLARIFY STATUTORY LANGUAGE (2nd Ed.)

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

S.B. 81, A BILL TO BE ENTITLED AN ACT REQUIRING THAT THE NORTH CAROLINA MEDICAL CARE COMMISSION AND THE SOCIAL SERVICES COMMISSION DRAFT RULES CONTAINING STATE STANDARDS FOR SPECIAL CARE UNITS IN NURSING HOMES AND REST HOMES FOR ALZHEIMER'S AND RELATED DEMENTIA PATIENTS AND THAT THESE COMMISSIONS MAKE A REPORT TO THE STUDY COMMISSION ON AGING, is read the first time and referred to the Committee on Human Resources.

S.B. 488, A BILL TO BE ENTITLED AN ACT TO REQUIRE REGISTRATION OFFICIALS TO FORWARD TO COUNTY BOARDS OF ELECTIONS COMPLETED APPLICATIONS TO REGISTER NO LATER THAN SEVENTY-TWO HOURS AFTER THE CLOSE OF REGISTRATION, is read the first time and referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

Committee Substitute for **S.B. 545, A BILL TO BE ENTITLED AN ACT RELATING TO SUBDIVISION REGULATION IN PENDER COUNTY,** is read the first time and referred to the Committee on Local and Regional Government II.

Committee Substitute No. 2 for **S.B. 623, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO LAWS APPLICABLE IN ORANGE AND CHATHAM COUNTIES,** is read the first time and referred to the Committee on Local and Regional Government No. II.

Committee Substitute for **S.B. 627, A BILL TO BE ENTITLED AN ACT THAT, IN ORDER TO ACHIEVE GREATER JUDICIAL EFFICIENCY, ALLOWS THE COURT TO RULE ON MOST TYPES OF MOTIONS WITHOUT A HEARING WHEN THE OPPOSING PARTY FAILS TO RESPOND TO THE MOTION WITHIN THIRTY**

DAYS, is read the first time and referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

S.B. 684, A BILL TO BE ENTITLED AN ACT TO ENABLE THE BOARD OF CHIROPRACTIC EXAMINERS TO CERTIFY DIAGNOSTIC IMAGING TECHNICIANS EMPLOYED BY CHIROPRACTORS, is read the first time and referred to the Committee on Human Resources.

S.B. 696, A BILL TO BE ENTITLED AN ACT TO REQUIRE EXECUTION UPON THE PROPERTY OF A DEBTOR OF A JUDGMENT DEBTOR WHEN THE EXECUTION AGAINST THE PROPERTY OF THE JUDGMENT DEBTOR IS RETURNED UNSATISFIED, is read the first time and referred to the Committee on Judiciary III.

Committee Substitute No. 2 for **S.B. 70**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE FOREIGN BANKING OFFICES IN NORTH CAROLINA, is read the first time and referred to the Committee on Commerce.

S.B. 341, A BILL TO BE ENTITLED AN ACT TO INCREASE VITAL RECORDS FEES AND TO ESTABLISH A NONREVERTING VITAL RECORDS AUTOMATION FUND, is read the first time and referred to the Committee on Finance.

S.B. 408, A BILL TO BE ENTITLED AN ACT FURTHER CONTINUING THE MENTAL HEALTH STUDY COMMISSION, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 649**, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA AIR CARGO AIRPORT AUTHORITY, TO AUTHORIZE THE ISSUANCE OF REVENUE BONDS TO FINANCE AIRPORT AND INDUSTRIAL FACILITIES, TO AUTHORIZE UNITS OF LOCAL GOVERNMENT TO TAKE CERTAIN ACTIONS RELATED TO CARGO AIRPORT COMPLEXES, AND TO MAKE CONFORMING CHANGES TO OTHER STATUTES, is read the first time and referred to the Committee on Transportation.

S.B. 766, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF JUSTICE MAY PROVIDE A CRIMINAL RECORD CHECK TO THE EMPLOYER OF A SCHOOL EMPLOYEE OR POTENTIAL EMPLOYEE WITH THE CONSENT OF THE EMPLOYEE OR APPLICANT, is read the first time and referred to the Committee on Education.

CALENDAR (continued)

Committee Substitute for **H.B. 1126**, A BILL TO BE ENTITLED AN ACT TO REFORM THE CAMPAIGN FINANCE LAWS.

On motion of Representative Flaherty, the bill is withdrawn from the Calendar and re-referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

Committee Substitute for **H.B. 428**, A BILL TO BE ENTITLED AN ACT TO ENHANCE MENTAL HEALTH, MENTAL RETARDATION, AND SUBSTANCE ABUSE CARE IN LOCAL CONFINEMENT FACILITIES, passes its second reading by electronic vote (74-0).

Representative Dawkins objects to the third reading. The bill remains on the Calendar.

On motion of Representative J. W. Crawford, the rules are suspended in order for the bill to be read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.J.R. 286**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES RAPER JONAS, FORMER CONGRESSMAN AND "MISTER REPUBLICAN".

On motion of Representative Rhyne, consideration of the bill is postponed until May 20.

Committee Substitute for **H.B. 477**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STERILIZATION OF CATS AND DOGS ADOPTED FROM OR SOLD BY ANIMAL SHELTERS.

Representative Hightower offers Amendment No. 1.

The bill is temporarily displaced.

Committee Substitute for **H.B. 77**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE MEMBERSHIP OF THE STATE BOARD OF EDUCATION AND TO MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION THE CHAIRMAN OF THE STATE BOARD OF EDUCATION.

On motion of the Chair, the bill is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

H.B. 673, A BILL TO BE ENTITLED AN ACT TO CORRECT A TYPOGRAPHICAL ERROR IN THE LAW PROVIDING FOR AN EXEMPTION FROM THE DEFINITION OF THE PRACTICE OF DENTISTRY FOR SUPERVISED NURSE ANESTHETISTS INVOLVED IN THE ADMINISTRATION OF ANESTHESIA, passes its second reading by electronic vote (85-5).

Representative Pope objects to the third reading. The bill remains on the Calendar.

Representative Pope withdraws his objection to the third reading.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

RE-REFERRAL

On motion of Representative Hackney, **S.B. 193**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE RUNOFF PRIMARY, is

withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

Representative Dawkins moves, seconded by Representative Warner, subject to the reading of notices and announcements and a special message from the Senate, that the House do adjourn to reconvene May 20, 1991 at 8:00 p.m. This motion carries by electronic vote (64-35).

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

S.B. 12, A BILL TO BE ENTITLED AN ACT MAKING THE ADMINISTRATIVE RULE-MAKING PROCESS MORE UNIFORM AND TO CLARIFY THE SCOPE OF A RULE, is read the first time and referred to the Committee on Judiciary II.

Responding to inquiry by Representative Mavretic, the Speaker announces that the bills remaining on today's Calendar would be on the Calendar for Monday night. The receiving of these bills, if passed by the House, under the Senate Rules would depend upon the suspension of rules by the Senate.

The House adjourns at 6:10 p.m.

SIXTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Monday, May 20, 1991

The House meets at 8:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Stamey, for the Committee on Rules, Appointments and Calendar reports the Journal of May 16 has been examined and found correct. Upon her motion, the Journal is approved as written.

Leaves of absence are granted Representatives Beard, Bowie, Brubaker, Hackney, Hardaway, Hightower, Jack Hunt, Sam Hunt, McLaughlin, Robinson, and Warner for today.

SUBCOMMITTEE REFERRALS

Representatives Hackney and Miller, Chairmen for the Standing Committee on Finance, refer:

H.B. 726, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONDITIONS ON USE OF PROCEEDS OF A GOLDSBORO OCCUPANCY TAX, to the Permanent Subcommittee on Local and Regional Government Revenues.

H.B. 734, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COLLEGIATE INSIGNIA REGISTRATION PLATES, to the Permanent Subcommittee on State Revenues.

H.B. 789, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF GASTONIA, to the Permanent Subcommittee on Local and Regional Government Revenues.

H.B. 802, A BILL TO BE ENTITLED AN ACT TO ENABLE THE TOWN OF LAUREL PARK TO ASSESS BENEFITED PROPERTY OWNERS FOR STREET AND SIDEWALK IMPROVEMENTS, to the Permanent Subcommittee on Local and Regional Government Revenues.

H.B. 887, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FILING FEE FOR CANDIDATES FOR STATEWIDE AND LEGISLATIVE OFFICES, AND TO OFFER A LOWER FILING FEE FOR CANDIDATES WHO AGREE TO PERSONAL LABELING IN RADIO AND TELEVISION ADS, to the Permanent Subcommittee on Ways and Means.

H.B. 945, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROVIDING FOR UNIFORM JAIL FEES, to the Permanent Subcommittee on State Revenues.

H.B. 1010, A BILL TO BE ENTITLED AN ACT TO LICENSE WHOLESALE DRUG DISTRIBUTORS, to the Permanent Subcommittee on Ways and Means.

H.B. 1160, A BILL TO BE ENTITLED AN ACT TO REPEAL THE NONRESIDENT BEAR HUNTING LICENSE REQUIREMENT IN ORDER TO PROMOTE RECIPROCITY WITH THE STATE OF TENNESSEE, to the Permanent Subcommittee on Ways and Means.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Kennedy for the Committee on Judiciary I:

H.B. 387, A BILL TO BE ENTITLED AN ACT RELATING TO THE COLLECTION OF HEALTH CARE DEBTS OWED ENTITIES OF THE UNIVERSITY OF NORTH CAROLINA, with a favorable report as to committee substitute bill, unfavorable as to original bill.

On motion of the Chair, the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representative Hasty, Chairman for the Standing Committee on Economic Expansion, refers:

Committee Substitute for **S.B. 286, A BILL TO BE ENTITLED AN ACT TO SPECIFY CERTAIN DUTIES OF THE CHAIRMAN OF**

THE INDUSTRIAL COMMISSION, to the Permanent Subcommittee on Small Business.

S.B. 320, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE EMPLOYMENT SECURITY LAW, to the Permanent Subcommittee on Labor Relations and Employment.

S.B. 522, A BILL TO BE ENTITLED AN ACT TO TO CREATE THE NORTH CAROLINA TRAVEL AND TOURISM BOARD, to the Permanent Subcommittee on Travel, Tourism and Economic Development.

S.B. 745, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW PERTAINING TO THE REMOVAL OF DISQUALIFICATION FOR UNEMPLOYMENT INSURANCE BENEFITS, to the Permanent Subcommittee on Small Business.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Rogers for the Permanent Subcommittee on Pre-School, Elementary and Secondary Education:

H.B. 2, A BILL TO BE ENTITLED AN ACT TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR NORTH CAROLINIANS, reported to the Standing Committee on Education, without prejudice.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Kerr, Justus, and Wilson:

H.B. 1293, A JOINT RESOLUTION CREATING THE GENERAL ASSEMBLY'S CONFERENCE ON ACCESS TO HEALTH CARE AND ESTABLISHING A STATEWIDE CONFERENCE STEERING COMMITTEE FOR THE CONFERENCE, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Anderson, Ethridge, Grady, Kerr, Lilley, Russell, Smith, and Wainwright:

H.J.R. 1294, A JOINT RESOLUTION HONORING COLONEL DAVID W. EBERLY, MAJOR THOMAS EDWARD GRIFFITH, JR., MAJOR JOSEPH J. SMALL, III, AND CAPTAIN RUSSELL A.C. SANBORN, FORMER PRISONERS OF WAR DURING OPERATION DESERT STORM, is referred to the Committee on Rules, Appointments and Calendar.

By Representative Decker:

H.J.R. 1295, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ANNEXATION LAWS, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Beard, Barbee, Brawley, N. J. Crawford, DeVane, Fitch, Hasty, Holmes, Sam Hunt, Hurley, Jones, Kerr, Lilley, Lineberry, Miller, Morgan, Oldham, Redwine, Robinson, and Warner:

H.J.R. 1296, A JOINT RESOLUTION FAVORING CONTINUANCE OF THE LIMITED ANTITRUST EXEMPTION FOR THE BUSINESS OF INSURANCE AS PRESENTLY PROVIDED IN THE MCCARRAN-FERGUSON ACT OF 1945, is referred to the Committee on Rules, Appointments and Calendar.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

Committee Substitute for **S.B. 84**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES PREPARE A WATER RESOURCES DEVELOPMENT PROJECTS PLAN AND TO REQUIRE THE DIRECTOR OF THE BUDGET TO REVIEW THE PLAN IN MAKING RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR FUNDING OF WATER RESOURCES DEVELOPMENT PROJECTS, is read the first time and referred to the Committee on Environment.

Committee Substitute for **S.B. 430**, A BILL TO BE ENTITLED AN ACT TO AMEND THE WINE DISTRIBUTION AGREEMENTS ACT, is read the first time and referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

Committee Substitute for **S.B. 485**, A BILL TO BE ENTITLED AN ACT TO REFORM THE ELECTION LAWS, is read the first time and referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

S.B. 657, A BILL TO BE ENTITLED AN ACT TO AMEND THE WORKERS' COMPENSATION ACT REGARDING THE RIGHTS AND REMEDIES OF AN EMPLOYEE, HIS EMPLOYER, AND THE EMPLOYER'S INSURANCE COMPANY AGAINST THIRD PARTIES, is read the first time and referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

Committee Substitute for **S.B. 678**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH PENALTIES FOR THE CRIMINALLY NEGLECTFUL USE OF A FIREARM WHILE HUNTING, is read the first time and referred to the Committee on Judiciary II.

S.B. 688, A BILL TO BE ENTITLED AN ACT TO PROVIDE REDUCED INSURANCE RATES FOR REDUCED COVERAGES, is read the first time and referred to the Committee on Commerce.

Committee Substitute for **S.B. 822**, A BILL TO BE ENTITLED AN ACT TO APPOINT A STUDENT MEMBER TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND TO ESTABLISH A NEW CATEGORY OF MEMBERS EMERITUS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, is read the first time and referred to the Committee on Education.

S.B. 828, A BILL TO BE ENTITLED AN ACT TO REORGANIZE THE LANGUAGE OF A STATUTE IN ORDER TO MAKE THE STATUTE MORE READABLE, is read the first time and referred to the Committee on Judiciary III.

Committee Substitute for **S.B. 61**, A BILL TO BE ENTITLED AN ACT TO APPOINT A PERSON TO FILL A VACANCY ON THE WILDLIFE RESOURCES COMMISSION UPON THE RECOMMENDATION OF THE PRESIDENT OF THE SENATE.-2, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 62**, A BILL TO BE ENTITLED AN ACT TO APPOINT A PERSON TO FILL A VACANCY ON THE STATE BOARD OF TRANSPORTATION UPON THE RECOMMENDATION OF THE PRESIDENT OF THE SENATE.-3, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 386**, A BILL TO BE ENTITLED AN ACT TO AMEND THOSE PORTIONS OF THE GENERAL STATUTES THAT LIMIT THE ENVIRONMENTAL MANAGEMENT COMMISSION TO THE ADOPTION OF ENVIRONMENTAL RULES REGARDING WATER QUALITY AND AIR QUALITY THAT ARE NO MORE RESTRICTIVE THAN FEDERAL ENVIRONMENTAL REGULATIONS TO PROVIDE THAT AN ASSESSMENT OF THE IMPACT OF SUCH RULES BE PREPARED BEFORE SUCH RULES ARE ADOPTED, is read the first time and referred to the Committee on Environment.

Committee Substitute for **S.B. 501**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DUPLIN COUNTY TO ACQUIRE CERTAIN PROPERTY FOR AN INDUSTRIAL SITE, is read the first time and referred to the Committee on Local and Regional Government II.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 573**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO AN ACT TO CONSOLIDATE ALL OF THE SCHOOL ADMINISTRATIVE UNITS IN GUILFORD COUNTY OR TO PROVIDE FOR THE TWO CITY SCHOOL ADMINISTRATIVE UNITS IN THAT COUNTY TO HAVE BOUNDARIES COTERMINOUS WITH THE CITIES, SUBJECT TO A REFERENDUM.

On motion of Representative Gist, seconded by Representative Flaherty, the bill is tabled by electronic vote (91-4).

S.B. 495, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CONTRACTS FOR A SIXTY-FOUR-BED ADDITION TO THE PRESENT JAIL FACILITY OF WILSON COUNTY FROM THE REQUIREMENTS OF THE PUBLIC BIDDING LAWS.

On motion of Representative Fitch, consideration of the bill is postponed until May 22.

Committee Substitute for **S.B. 502**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE "NO-WAKE" SPEED ZONE FOR MOTORBOATS IN TOPSAIL SOUND IN PENDER COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 510, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PROCEDURE FOR CERTIFYING MUNICIPAL AD VALOREM TAX VALUATIONS IN WAKE COUNTY TO THE WAKE COUNTY BOARD OF ALCOHOLIC CONTROL, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 575, A BILL TO BE ENTITLED AN ACT ADDING CASWELL COUNTY TO THOSE COUNTIES AUTHORIZED TO REGULATE TRESPASSING TO HUNT OR FISH ON PRIVATE LANDS BY LOCAL ORDINANCE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 632, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING THE GUILFORD COUNTY OCCUPANCY TAX, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 164, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT DOMICILIARY HOME COST REPORTS BE CERTIFIED, passes its second reading, by electronic vote (97-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **H.B. 477**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STERILIZATION OF CATS AND DOGS ADOPTED FROM OR SOLD BY ANIMAL SHELTERS.

Pending Amendment No. 1 is returned to Representative Hightower.

On motion of Representative Payne, the bill is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

Committee Substitute for **H.B. 297**, A BILL TO BE ENTITLED AN ACT TO REQUIRE A DRIVERS LICENSE WITH A RESTRICTIVE CODE BE ISSUED TO A PERSON CONVICTED OF AN IMPAIRED DRIVING OR CONTROLLED SUBSTANCE VIOLATION.

On motion of Representative Buchanan, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

Committee Substitute for **H.J.R. 286**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES RAPER JONAS, FORMER CONGRESSMAN AND "MISTER REPUBLICAN",

passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 930, A BILL TO BE ENTITLED AN ACT TO ENTITLE EMPLOYEES TO PARENTAL LEAVE UPON THE BIRTH OR ADOPTION OF A CHILD.

On motion of Representative Diamont, the bill is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

Committee Substitute for **H.B. 47, A BILL TO BE ENTITLED AN ACT SUPPORTING THE EFFORTS OF TEACHERS TO CONTROL THEIR CLASSES AND REQUIRING PARENTS TO ASSIST IN DISCIPLINING THEIR CHILDREN AT SCHOOL**, passes its second reading, by electronic vote (96-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 230, A BILL TO BE ENTITLED AN ACT RELATING TO THE TERMS OF EMPLOYMENT OF ADULT PART-TIME PUBLIC SCHOOL EMPLOYEES**, passes its second reading, by electronic vote (96-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 1012, A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PORTIONS OF LANDLORD AND TENANT LAW.**

On motion of Representative Barnes, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

Representative Stamey moves, seconded by Representative Wood, subject to the reading of notices and announcements, that the House do now adjourn. This motion carries by electronic vote (87-7).

The House adjourns at 9:30 p.m. to reconvene May 21 at 2:00 p.m.

SIXTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 21, 1991

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Stamey for the Committee on Rules, Appointments and Calendar reports the Journal of May 20 has been examined and

found correct. Upon her motion, the Journal is approved as written by electronic vote (93-2).

Leaves of absence are granted Representatives Brubaker, Hackney, Hardaway, and Sam Hunt for today.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Dawkins for the Committee on Judiciary II:

S.B. 11, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION OF THE ADMINISTRATIVE PROCEDURE ACT, with a favorable report.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Chapin for the Permanent Subcommittee on Aquaculture and Marine Fisheries:

S.B. 363, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE INSPECTION AUTHORITY OF MARINE FISHERIES INSPECTION, reported to the Standing Committee on Agriculture, with a favorable recommendation.

By Representative Chapin for the Permanent Subcommittee on Aquaculture and Marine Fisheries of the Standing Committee on Agriculture, with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 460, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO ISSUE PROCLAMATIONS SUSPENDING OR EXTENDING THE HOOK-AND-LINE SEASON FOR STRIPED BASS FISHING, with a favorable report.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Barnes for the Committee on Education:

H.B. 1250, A BILL TO BE ENTITLED AN ACT TO ENACT THE PUBLIC SCHOOL ACT OF 1991, without prejudice, and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Lutz for the Committee on Local and Regional Government II:

S.B. 190, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MOMERY IN NASH COUNTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

S.B. 492, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE OF THE NONPARTISAN AVERY COUNTY SCHOOL

BOARD ELECTION FROM MAY TO NOVEMBER, with a favorable report.

S.B. 493, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PAY DATE FOR CERTAIN EMPLOYEES OF THE KINGS MOUNTAIN SCHOOLS, with a favorable report.

S.B. 520, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO PROVIDE FOR IMPROVEMENTS TO REAL PROPERTY BY THE SELLER OR LESSOR OF THE PROPERTY, with a favorable report.

S.B. 553, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING ON OR ACROSS THE RIGHT-OF-WAY OF PUBLIC ROADS OR HIGHWAYS IN A PORTION OF FRANKLIN COUNTY AND TO REQUIRE WRITTEN PERMISSION BEFORE HUNTING ON OR ACROSS THE RIGHT-OF-WAY OF PUBLIC ROADS OR HIGHWAYS IN THE REMAINDER OF FRANKLIN COUNTY, with a favorable report.

S.B. 585, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO CHANGE THE MANNER IN WHICH CORNER LOT RELIEF FROM SPECIAL ASSESSMENTS FOR WATER AND SEWER PROJECTS IS CALCULATED, with a favorable report.

On motion of Representative Lutz, the bill is re-referred to the Committee on Finance.

S.B. 629, A BILL TO BE ENTITLED AN ACT TO EXEMPT UNION COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE CONSTRUCTION OF COUNTY DETENTION FACILITY, with a favorable report.

By Representative R. Hunter for the Committee on Judiciary III:

S.B. 763, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DISTRICT ATTORNEY MAY TAKE A VOLUNTARY DISMISSAL IN A DEFERRED PROSECUTION, with a favorable report.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

S.J.R. 194, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ROBERT STRINGFIELD SWAIN, LATE MEMBER OF THE GENERAL ASSEMBLY, is read the first time.

The rules are suspended and the resolution is placed on the Calendar for May 22.

Committee Substitute for **S.B. 801**, A BILL TO BE ENTITLED AN ACT TO FURTHER PROVIDE FOR THE SEPARATION OF POWERS BETWEEN THE LEGISLATIVE AND EXECUTIVE BRANCHES OF GOVERNMENT BY PROVIDING THAT THE PRESIDENT PRO TEMPORE OF THE SENATE RATHER THAN

THE LIEUTENANT GOVERNOR SHALL MAKE APPOINTMENTS TO CERTAIN LEGISLATIVE COMMISSIONS AND COMMITTEES, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 164, AN ACT TO REQUIRE THAT DOMICILIARY HOME COST REPORTS BE CERTIFIED. (CHAPTER 89)

S.B. 502, AN ACT TO ABOLISH THE "NO-WAKE" SPEED ZONE FOR MOTORBOATS IN TOPSAIL SOUND IN PENDER COUNTY. (CHAPTER 90)

S.B. 510, AN ACT TO CHANGE THE PROCEDURE FOR CERTIFYING MUNICIPAL AD VALOREM TAX VALUATIONS IN WAKE COUNTY TO THE WAKE COUNTY BOARD OF ALCOHOLIC CONTROL. (CHAPTER 91)

S.B. 575, AN ACT ADDING CASWELL COUNTY TO THOSE COUNTIES AUTHORIZED TO REGULATE TRESPASSING TO HUNT OR FISH ON PRIVATE LANDS BY LOCAL ORDINANCE. (CHAPTER 92)

S.B. 632, AN ACT TO AMEND THE LAW CONCERNING THE GUILFORD COUNTY OCCUPANCY TAX. (CHAPTER 93)

H.B. 321, AN ACT TO EXEMPT REAL ESTATE ACQUIRED BY THE DEPARTMENT OF TRANSPORTATION FROM THE REQUIREMENT THAT IT BE APPRAISED BY LICENSED OR CERTIFIED APPRAISER WHEN THE ESTIMATED VALUE OF THE REAL ESTATE IS LESS THAN TEN THOUSAND DOLLARS. (CHAPTER 94)

H.B. 388, AN ACT TO PROVIDE THAT SMALL DEBTS NEED NOT BE TURNED OVER TO THE ATTORNEY GENERAL FOR COLLECTION. (CHAPTER 95)

H.B. 411, AN ACT TO AUTHORIZE THE GOVERNOR'S COUNCIL ON PHYSICAL FITNESS AND HEALTH TO SANCTION THE STATE GAMES AND OTHER COMPETITIVE ATHLETIC EVENTS FOR WHICH SANCTIONING BY THE STATE IS REQUIRED. (CHAPTER 96)

H.B. 676, AN ACT CHANGING THE TIME NEWLY ELECTED MEMBERS OF THE HALIFAX COUNTY BOARD OF EDUCATION SHALL QUALIFY. (CHAPTER 97)

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Beall for the Permanent Subcommittee on Forestry, Horticulture and Wildlife:

H.B. 231, A BILL TO BE ENTITLED AN ACT TO BAND THE SALE OR USE OF PESTICIDES CONTAINING ARSENIC COMPOUNDS, reported to the Standing Committee on Agriculture, with a favorable recommendation, as amended.

CALENDAR

Action is taken on the following:

S.B. 299, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF LEWISVILLE IN FORSYTH COUNTY.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendments.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hasty, Hensley, Hightower, Holt, Howard, Judy Hunt, H. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 104.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Hackney, Hardaway, and Sam Hunt - 4.

H.B. 1009, A BILL TO BE ENTITLED AN ACT TO PROVIDE JUST COMPENSATION PROCEDURES.

On motion of Representative Miller, consideration of the bill is postponed until May 22.

Committee Substitute for **H.B. 628, A BILL TO BE ENTITLED AN ACT TO LIMIT THE NUMBER OF HOURS THAT YOUTHS ENROLLED IN SCHOOL ARE ALLOWED TO WORK.**

Representative Lewis offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (63-50).

Representative Balmer objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 979, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BUREAU OF INVESTIGATION TO INVESTIGATE CRIMES INVOLVING BRIBERY AND MISCONDUCT IN PUBLIC OFFICE.**

On motion of Representative Anderson, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary III.

Committee Substitute for **H.B. 1025**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROVIDING MAPPING REQUIREMENTS FOR PLATS AND SUBDIVISIONS.

On motion of Representative Stamey, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

H.B. 909, A BILL TO BE ENTITLED AN ACT TO PROVIDE REDUCED INSURANCE RATES FOR REDUCED COVERAGES.

On motion of Representative McLaughlin, the bill and pending amendments are withdrawn from the Calendar and re-referred to the Committee on Commerce.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Barnes for the Committee on Education:

H.B. 2, A BILL TO BE ENTITLED AN ACT TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR NORTH CAROLINIANS, without prejudice as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 399, A BILL TO BE ENTITLED AN ACT TO ESTABLISH PREKINDERGARTEN PROGRAMS IN THE PUBLIC SCHOOLS, without prejudice as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of Representative Barnes, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Appropriations.

CALENDAR (continued)

S.B. 507, A BILL TO BE ENTITLED AN ACT TO DELETE BOND REQUIREMENTS FOR SEED DEALERS AND FERTILIZER MANUFACTURERS, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 509, A BILL TO BE ENTITLED AN ACT REGARDING DESIGNATION OF AGRICULTURAL PRODUCTS PRODUCERS' AGENCIES FOR THE PURPOSE OF FEDERAL COMMODITY ASSESSMENT PROGRAMS, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

APPROVAL OF VOTE CHANGE

On motion of Representative Dial, the rules are suspended, by electronic vote (102-3), in order that he may be recorded in the Journal as having voted "no" on Amendment No. 1 to **H.B. 599, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE PUBLIC SCHOOL TENURE LAW**, on May 13, 1991.

CALENDAR (continued)

S.B. 654, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT RULES FOR THE STORAGE OF FERTILIZER MATERIALS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

REPRESENTATIVE COLTON, SPEAKER PRO TEMPORE PRESIDING.

H.B. 163, A BILL TO BE ENTITLED AN ACT TO PROVIDE A TAX CREDIT FOR THE USE OF NORTH CAROLINA PORTS.

Representative Pope requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

SPEAKER BLUE PRESIDING.

Representative Robinson requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

Representative R. Hunter offers Amendment No. 1 which is adopted.

Representative Kerr moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Finance.

On motion of Representative Abernethy, seconded by Representative Rhodes, the motion to re-refer the bill to the Committee on Finance is tabled by electronic vote (57-47).

The bill, as amended, passes its second reading by electronic vote (83-25).

Representative Nesbitt objects to the third reading. The bill remains on the Calendar.

On motion of Representative Jack Hunt, seconded by Representative Jeffus, the House adjourns, by electronic vote (97-2), at 4:25 p.m. to reconvene May 22 at 2:00 p.m.

SIXTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 22, 1991

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Lilley.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of May 21 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (77-0).

Leaves of absence are granted Representatives Brubaker, Bowie, Church, Dockham, Grimmer, Hackney, Jones, Kennedy, Loflin, Warner, and Wood for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Dawkins for the Committee on Judiciary II:

H.B. 881, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FEE-BASED PRACTICING PASTORAL COUNSELORS CERTIFICATION ACT, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative DeVane for the Committee on Environment:

S.B. 134, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO DESIGNATE STATE TRAILS BY WRITTEN AGREEMENTS WITH PRIVATE LANDOWNERS AND OTHER UNITS OF GOVERNMENT WITHOUT REQUIRING THE DEPARTMENT TO POSSESS AN INTEREST IN THE PROPERTY, with a favorable report.

S.B. 330, A BILL TO BE ENTITLED AN ACT TO MAKE THE OBSTRUCTION OF STREAMS AND DITCHES A STRICT LIABILITY OFFENSE, TO INCREASE THE PENALTIES FOR THE OBSTRUCTION OF STREAMS AND DITCHES, AND TO REDEFINE THE AUTHORITY OF FOREST LAW ENFORCEMENT OFFICERS TO ENFORCE THE PROHIBITION AGAINST OBSTRUCTION OF STREAMS AND DITCHES, with a favorable report.

By Representative Greenwood for the Committee on Pensions and Retirement:

H.B. 899, A BILL TO BE ENTITLED AN ACT TO MAKE THE LAW RELATING TO LAW ENFORCEMENT OFFICERS' DEATH

BENEFITS MORE EQUITABLE, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of Representative DeVane, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Appropriations.

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

H.J.R. 1294, A JOINT RESOLUTION HONORING COLONEL DAVID W. EBERLY, MAJOR THOMAS EDWARD GRIFFITH, JR., MAJOR JOSEPH J. SMALL, III, AND CAPTAIN RUSSELL A.C. SANBORN, FORMER PRISONERS OF WAR DURING OPERATION DESERT STORM, with a favorable report.

SUBCOMMITTEES REFERRALS

Representative DeVane, Chairman for the Standing Committee on Environment, refers:

H.B. 1210, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROGRAM TO PROVIDE FOR REGIONAL RESPONSE TEAMS TO RESPOND TO HAZARDOUS MATERIALS EMERGENCIES IN NORTH CAROLINA, TO ASSESS FEES TO FUND THIS PROGRAM, AND TO ESTABLISH A LEGISLATIVE STUDY COMMISSION TO STUDY HAZARDOUS MATERIALS CONTROL AND MANAGEMENT, to the Permanent Subcommittee on Hazardous Waste.

S.B. 773, A BILL TO BE ENTITLED AN ACT TO PERMIT RECYCLABLE PLASTIC YOKES OR RING TYPE HOLDING DEVICES, to the Permanent Subcommittee on Solid Waste.

Representative Jerals, Chairman for the Standing Committee on Human Resources, refers:

S.B. 165, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF AGING, TO ADMINISTER A HOME AND COMMUNITY CARE BLOCK GRANT FOR OLDER ADULTS, to the Permanent Subcommittee on Health and Mental Health.

S.B. 293, A BILL TO BE ENTITLED AN ACT TO ALLOW AREA AUTHORITIES TO PROVIDE SERVICES UNDER CONTRACT TO CERTAIN ENTITIES, to the Permanent Subcommittee on Health and Mental Health.

S.B. 326, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE AUTHORITY OF THE DEPARTMENT OF HUMAN RESOURCES TO MAINTAIN A REGISTRY OF NURSE AIDES AND TO INCLUDE FINDINGS OF ABUSE, NEGLECT, AND MISAPPROPRIATION IN THE NURSE AIDE REGISTRY, to the Permanent Subcommittee on Health and Mental Health.

S.B. 372, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW RELATING TO EXEMPTIONS TO CONFIDENTIALITY OF MENTAL HEALTH CLIENTS' RECORDS, to the Permanent Subcommittee on Health and Mental Health.

S.B. 376, A BILL TO BE ENTITLED AN ACT ADOPTING THE RECOMMENDATIONS OF THE MENTAL HEALTH STUDY COMMISSION CONCERNING MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE SERVICES IN JAILS, to the Permanent Subcommittee on Health and Mental Health.

S.B. 516, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES' ADOPTION OF STANDARDS FOR SERVICE DELIVERY TO DEPARTMENT OF CORRECTION INMATES, to the Permanent Subcommittee on Health and Mental Health.

S.B. 758, A BILL TO BE ENTITLED AN ACT PERTAINING TO TRAINING REQUIREMENTS FOR TANNING BED OPERATORS, to the Permanent Subcommittee on Health and Mental Health.

S.B. 294, A BILL TO BE ENTITLED AN ACT ADOPTING THE ADULT SUBSTANCE ABUSE TREATMENT PLAN, to the Permanent Subcommittee on Children, Youth and Families.

S.B. 356, A BILL TO BE ENTITLED AN ACT TO MODIFY PENALTIES FOR VIOLATIONS OF THE COMMUNICABLE DISEASE LAW, to the Permanent Subcommittee on Children, Youth and Families.

S.B. 357, A BILL TO BE ENTITLED AN ACT TO REVISE THE ADVISORY FUNCTIONS OF THE NUTRITION PROGRAM IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, to the Permanent Subcommittee on Children, Youth and Families.

S.B. 358, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO IMPOSE A MONETARY PENALTY FOR VIOLATION OF RULES GOVERNING NUTRITION STANDARDS, to the Permanent Subcommittee on Children, Youth and Families.

S.B. 476, A BILL TO BE ENTITLED AN ACT TO REGULATE THE TEMPERATURE OF HOME WATER HEATERS TO HELP REDUCE THE RISK OF INJURIES AND DEATH, to the Permanent Subcommittee on Children, Youth and Families.

S.B. 81, A BILL TO BE ENTITLED AN ACT REQUIRING THAT THE NORTH CAROLINA MEDICAL CARE COMMISSION AND THE SOCIAL SERVICES COMMISSION DRAFT RULES CONTAINING STATE STANDARDS FOR SPECIAL CARE UNITS IN NURSING HOMES AND REST HOMES FOR ALZHEIMER'S AND RELATED DEMENTIA PATIENTS AND THAT THESE COMMISSIONS MAKE A REPORT TO THE STUDY COMMISSION ON AGING, to the Permanent Subcommittee on Aging.

S.B. 257, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HUMAN RESOURCES TO ISSUE PROVISIONAL LICENSES FOR DOMICILIARY HOMES AND TO ESTABLISH CERTAIN APPEALS TIME LIMITS, to the Permanent Subcommittee on Aging.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute No. 2 for **H.B. 225, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DARE COUNTY TO INCREASE ITS OCCUPANCY TAX, LEVY A RESTAURANT TAX, AND CREATE A TOURISM BOARD TO PROMOTE TOURISM IN DARE COUNTY,** is returned for concurrence in Senate amendment and referred to the Committee on Finance.

H.B. 562, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE COUNCIL ON THE STATUS OF WOMEN TO THE NORTH CAROLINA COUNCIL FOR WOMEN, is returned for concurrence in Senate amendment and placed on the Calendar for May 23.

Committee Substitute for **S.B. 91, A BILL TO BE ENTITLED AN ACT TO CREATE A SAVINGS BANK CHARTER IN NORTH CAROLINA,** is read the first time and referred to the Committee on Commerce.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Gist for the Committee on Local and Regional Government I:

S.B. 214, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF CERTAIN PROPERTY BY THE TOWN OF HOLLY SPRINGS, with a favorable report.

On motion of Representative Gist, the bill is re-referred to the Committee on Finance.

S.B. 477, A BILL TO BE ENTITLED AN ACT TO PERMIT NEW HANOVER COUNTY TO PROVIDE PROCEDURES FOR EVALUATING CONTRACTORS BY ORDINANCE, with a favorable report.

S.B. 511, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING AND THE USE OF FIREARMS IN WAKE COUNTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary III.

S.B. 544, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW REGULATING THE SETTING OF STEEL TRAPS IN PENDER COUNTY, with a favorable report.

S.B. 569, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WILMINGTON TO AUTHORIZE

ZONING DENSITY BONUSES IN PROJECTS CONTAINING SPECIFIED AMOUNTS OF LOW AND MODERATE INCOME HOUSING, with a favorable report.

S.B. 578, A BILL TO BE ENTITLED AN ACT TO ALLOW PENDER COUNTY TO ACQUIRE PROPERTY FOR USE BY THE PENDER COUNTY BOARD OF EDUCATION, with a favorable report.

S.B. 615, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON WITH RESPECT TO THE ENFORCEMENT OF BUILDING AND HOUSING ORDINANCES, AND TO AMEND THE CHARTER OF THE TOWN OF WINTON TO IDENTIFY VOLUNTEER FIRE AND RESCUE SERVICES, with a favorable report.

S.B. 619, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO FILE WITH THE REGISTER OF DEEDS A NOTICE OF SPECIAL CONDITIONS ATTACHED TO THE ZONING OF PROPERTY, with a favorable report.

S.B. 631, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELECTION DATE FOR THE BOARD OF EDUCATION OF THE GREENSBORO CITY SCHOOL ADMINISTRATIVE UNIT TO BE THE SAME AS FOR THE CITY OF GREENSBORO, with a favorable report.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 507, AN ACT TO DELETE BOND REQUIREMENTS FOR SEED DEALERS AND FERTILIZER MANUFACTURERS. (CHAPTER 98)

S.B. 509, AN ACT REGARDING DESIGNATION OF AGRICULTURAL PRODUCTS PRODUCERS' AGENCIES FOR THE PURPOSE OF FEDERAL COMMODITY ASSESSMENT PROGRAMS. (CHAPTER 99)

S.B. 654, AN ACT TO AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT RULES FOR THE STORAGE OF FERTILIZER MATERIALS. (CHAPTER 100)

H.B. 300, AN ACT TO PROVIDE THAT THERE SHALL BE NO INSURANCE POINTS ASSESSED FOR SPEEDING TEN MILES OR LESS OVER THE SPEED LIMIT FOR FIRST OFFENSE IN THREE YEARS WHERE SPEED LIMIT EXCEEDS FIFTY-FIVE MILES PER HOUR. (CHAPTER 101)

H.B. 553, AN ACT TO CREATE THE TOBACCO RESEARCH COMMISSION, AUTHORIZE A REFERENDUM OF TOBACCO GROWERS REGARDING ESTABLISHMENT OF A TOBACCO CHECKOFF FOR TOBACCO RESEARCH, AND TO MAKE CONFORMING CHANGES IN THE LAWS CONCERNING AGRICULTURAL RESEARCH. (CHAPTER 102)

H.J.R. 286, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES RAPER JONAS, FORMER CONGRESSMAN AND "MISTER REPUBLICAN". (RESOLUTION 14)

CALENDAR

Action is taken on the following:

S.B. 495, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CONTRACTS FOR A SIXTY-FOUR-BED ADDITION TO THE PRESENT JAIL FACILITY OF WILSON COUNTY FROM THE REQUIREMENTS OF THE PUBLIC BIDDING LAWS.

On motion of Representative Fitch, consideration of the bill is postponed until May 28.

S.B. 492, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE OF THE NONPARTISAN AVERY COUNTY SCHOOL BOARD ELECTION FROM MAY TO NOVEMBER, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 493, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PAY DATE FOR CERTAIN EMPLOYEES OF THE KINGS MOUNTAIN SCHOOLS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 520, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO PROVIDE FOR IMPROVEMENTS TO REAL PROPERTY BY THE SELLER OR LESSOR OF THE PROPERTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 553, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING ON OR ACROSS THE RIGHT-OF-WAY OF PUBLIC ROADS OR HIGHWAYS IN A PORTION OF FRANKLIN COUNTY AND TO REQUIRE WRITTEN PERMISSION BEFORE HUNTING ON OR ACROSS THE RIGHT-OF-WAY OF PUBLIC ROADS OR HIGHWAYS IN THE REMAINDER OF FRANKLIN COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 629, A BILL TO BE ENTITLED AN ACT TO EXEMPT UNION COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE CONSTRUCTION OF COUNTY DETENTION FACILITY.

On motion of Representative Pope, consideration of the bill is postponed until May 23.

H.B. 163, A BILL TO BE ENTITLED AN ACT TO PROVIDE A TAX CREDIT FOR THE USE OF NORTH CAROLINA PORTS.

On motion of Representative Abernethy, the bill is withdrawn from the Calendar and re-referred to the Committee on Finance.

Committee Substitute for H.B. 628, A BILL TO BE ENTITLED AN ACT TO LIMIT THE NUMBER OF HOURS THAT YOUTHS ENROLLED IN SCHOOL ARE ALLOWED TO WORK.

On motion of Representative Bowman, consideration of the bill is postponed until May 23.

H.B. 1009, A BILL TO BE ENTITLED AN ACT TO PROVIDE JUST COMPENSATION PROCEDURES.

Representatives Morgan and Rhyne request that they be excused from voting on this bill under Rule 24.1A and this request is granted.

On motion of Representative Sam Hunt, the bill is withdrawn from the Calendar and re-referred to the Committee on Finance.

MEMORIALIZING SENATOR ROBERT S. SWAIN

Representative Payne requests that any remarks memorializing Senator Swain and submitted in writing to the Principal Clerk be included in the Journal.

The following is received by the Principal Clerk.

**REMARKS BY REPRESENTATIVE JULIA HOWARD
MEMORIAL FOR SENATOR BOB SWAIN**

"Knowing Senator Swain was a privilege and an education. When as, a freshman member of this body, I mentioned the fact that my first bill had been sent to Senator Swain's Judicial Committee. The response was always 'Oh God, Swain' and it took me awhile to figure out who that was since there was nobody with a first-name like 'Oh God' listed on the roster.

"Senator Swain was a man of his word. When he promised to give my bill a fair hearing before he killed 'the damn thing', he did just that.

"But he didn't always get his way. As hard as he tried to appear *gruff* and *contrary*, he couldn't hide the *warm heart*, *true humility*, and *deep concern* which lay at the core of his character and *shaped* his perspective. He was of rare intelligence and despite his efforts to play it down, we learned to recognize it and respect him well.

"Bob Swain may, as they say, have marched to a different drummer, and I can't deny that sometimes – if he didn't like the beat – he would just break the drum sticks. But this was to his credit, not otherwise. He was a man of honor and principle, who stood up for what he believed.

"This resolution is good, and it is appropriate. The Senator would appreciate it.

"Once he told me, in that challenging way of his — which was really his way to get you to think — that he knew not one of the members who could truthfully say *anything good* about him — especially none of the '*damn women*' — and of course I agreed. I knew he might be thinking about a memorial resolution, so I told him not to worry because only the good die young, and since he would outlive us all, he didn't need to worry about our honesty in any such resolution.

"Bob Swain was a strong man with a powerful will and a determination to serve the people of this state, which he did honorable and well. Whether we agreed with him or not, we, as members of this legislative body which he loved so well, respected him and can take this opportunity to show it.

"As we walk these halls, many of us may share fond memories of Bob Swain, a self-assured man in a green coat, smoking a Salem, and reminding us that he means business with that famous two-finger gesture he used to make his point.

"I commend this resolution to you in memory of my friend Robert S. Swain -- a man who was a friend to all old dogs, to all men, to me and whether he would admit it or not, to what he called the '*damn women*' as well. I appreciate the privilege of *calling* Bob Swain a friend."

REMARKS BY REPRESENTATIVE NARVEL JIM CRAWFORD
MEMORIAL FOR SENATOR BOB SWAIN

"Mr. Speaker, Ladies, and Gentlemen,

"I would be remiss to duty to loyalty and to friendship if I did not rise for a brief moment to pay tribute to a singular mountain man.

"For Bob Swain encompassed a multitude of the ingredients of what we like to think of as the best in the human condition. He brought a fresh and unique perspective on issues due to his experience as a strong prosecutor and a dynamic defense attorney.

"And, oh! how he loved the challenge of championing the often unpopular cause for he took as his charge and vocation, the unending need to defend the weak, the unloved, and the defenseless.

"We have seen his creative hand at work in everything from introducing the indomitable and indigenous plot hound, as our state dog, to his untiring interest in and dedication to prison reformation. And he never lost sight of the biblical injunction that admonishes us to remember and to care for even the prisoners and captives.

"Bob Swain had a myriad of interests and loves, and none more intensely than this General Assembly. This was his home away from home, and we were his extended family. Many of us in this Chamber remember vividly that wonderful afternoon last year given in his honor at Treybern in Durham when we toasted and roasted him. He cherished that video, kept it close at hand, and showed it again and again to his friends and visitors and always with a renewed pride and pleasure and childlike joy.

"During his tenacious fight for life, the legislative process was his therapy and medicine; and if there could have been a cure, it would have been that as well. You could see it in the spring of his gait, the laughter in his eyes, and the excitation in his voice.

"He took great pains to hide his learning and erudition from us. But we are eternally grateful that he could never hide the real Bob Swain from us – the man who was at once creative and cantankerous, pugnacious and playful.

"In searching and struggling for some words which would be a proper epitaph, I suddenly realized that they had already been written. Actually, they were written by a wonderful wordsmith and a son of old England long ago and far away. But they convey to me beauty, power, and succinctness and they go something like this:

'If you can talk with crowds and keep your virtue,
or walk with kings--nor lose the common touch,
If neither foes nor loving friends can hurt you,
If all men count with you, but none too much,
If you can fill the unforgiving minute with
sixty seconds' worth of distance run,
Yours is the earth and everything that's in it,
and--which is more--you'll be a man, my son!'

"Bob Swain was indeed a man...the likes of which will not soon pass our way again."

(See Appendix for other remarks)

CALENDAR (continued)

"S.J.R. 194, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ROBERT STRINGFIELD SWAIN, LATE MEMBER OF THE GENERAL ASSEMBLY, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

RE-REFERRAL

On motion of Representative Dawkins, S.B. 686, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO CLARIFY THE CONFLICT OF INTEREST LAW RELATING TO BOARDS OF DIRECTORS OF HOSPITAL, MEDICAL, AND DENTAL SERVICE CORPORATIONS, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Judiciary III.

CALENDAR (continued)

S.B. 11, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION OF THE ADMINISTRATIVE PROCEDURE ACT, passes its second reading, by electronic vote (70-14), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 460, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO ISSUE PROCLAMATIONS SUSPENDING OR EXTENDING THE HOOK-AND-LINE SEASON FOR STRIPED BASS FISHING, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 763, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DISTRICT ATTORNEY MAY TAKE A VOLUNTARY DISMISSAL IN A DEFERRED PROSECUTION, passes its second reading, by electronic vote (95-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Gamble for the Permanent Subcommittee on Local and Regional Government Revenue of the Standing Committee on Finance, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 726, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONDITIONS ON USE OF PROCEEDS OF A GOLDSBORO OCCUPANCY TAX, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for May 28. The original bill is placed on the Unfavorable Calendar.

H.B. 789, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF GASTONIA, with a favorable report, as amended.

H.B. 802, A BILL TO BE ENTITLED AN ACT TO ENABLE THE TOWN OF LAUREL PARK TO ASSESS BENEFITED PROPERTY OWNERS FOR STREET AND SIDEWALK IMPROVEMENTS, with a favorable report, as amended.

On motion of Representative Jack Hunt, seconded by Representative Jordan, the House adjourns at 3:56 p.m. to reconvene May 23 at 2:00 p.m.

SEVENTIETH DAY

HOUSE OF REPRESENTATIVES
Thursday, May 23, 1991

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Lineberry.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of May 22 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Abernethy, Dickson, Greenwood, Hackney, Hardaway, Kennedy, Robinson, Warner, Wood, and Woodard for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative R. Hunter for the Committee on Judiciary III:

H.B. 450, A BILL TO BE ENTITLED AN ACT TO UPDATE AND CLARIFY THE TRADEMARK REGISTRATION ACT, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

S.B. 52, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF LAW ENFORCEMENT OFFICERS TO ARREST WITHOUT A WARRANT FOR CERTAIN MISDEMEANORS, with a favorable report.

S.B. 130, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONFERENCE OF CHIEF DISTRICT JUDGES TO ADOPT A SCHEDULE OF PARK AND RECREATION OFFENSES THAT ARE WAIVABLE AND ADOPT A SCHEDULE OF FINES AND PENALTIES FOR THOSE THAT ADMIT GUILT OR ACCEPT RESPONSIBILITY, with a favorable report.

Committee Substitute for **S.B. 426, A BILL TO BE ENTITLED AN ACT TO REVISE AND RECODIFY AS CHAPTER 10A THE STATUTES RELATING TO NOTARIES**, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 661, A BILL TO BE ENTITLED AN ACT TO ADD TO THE LIST OF FIDUCIARY POWERS THE POWERS TO DIVIDE ONE TRUST INTO SEVERAL TRUSTS AND TO CONSOLIDATE SIMILAR TRUSTS, with a favorable report, as amended.

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

S.J.R. 153, A JOINT RESOLUTION TO COMMEMORATE THE SIXTIETH ANNIVERSARY OF THE NORTH CAROLINA

BANKING COMMISSION, with a favorable report as to House committee substitute joint resolution, which changes the title, unfavorable as to Senate joint resolution.

The House committee substitute joint resolution is placed on the Calendar for May 28. The Senate joint resolution is placed on the Unfavorable Calendar.

By Representative Dawkins for the Committee on Judiciary II:

H.B. 1004, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE LAND RECORDS MANAGEMENT PROGRAM FROM THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO THE DEPARTMENT OF THE SECRETARY OF STATE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

S.B. 414, A BILL TO BE ENTITLED AN ACT TO AMEND THE REVISED UNIFORM LIMITED PARTNERSHIP ACT, with a favorable report.

By Representative Judy Hunt for the Committee on Public Utilities:

H.B. 1132, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A SINGLE COUNTY TO ORGANIZE A WATER AND SEWER AUTHORITY PURSUANT TO CHAPTER 162A OF THE GENERAL STATUTES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

S.B. 417, A BILL TO BE ENTITLED AN ACT TO PROVIDE A UNIFORM PROCEDURE FOR THE SITING OF ELECTRIC TRANSMISSION LINES AS RECOMMENDED BY THE UTILITIES COMMISSION, with a favorable report, as amended.

By Representative Kennedy for the Committee on Judiciary I:

S.B. 325, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE TIMES WITHIN WHICH HEALTH CARE FACILITIES MAY FILE PETITIONS FOR CONTESTED CASE HEARINGS, with a favorable report.

S.B. 662, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON THE ACT PERTAINING TO INVENTION DEVELOPMENT SERVICES, with a favorable report.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Foster for the Permanent Subcommittee on Travel, Tourism and Economic Development of the Standing Committee on Economic Expansion, with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 522, A BILL TO BE ENTITLED AN ACT TO TO CREATE THE NORTH CAROLINA TRAVEL AND TOURISM BOARD, with a favorable report as to House committee substitute bill, unfavorable as to

original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Appropriations.

The House committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

S.B. 703, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE TRAVEL AND TOURISM POLICY OF NORTH CAROLINA, with a favorable report.

SUBCOMMITTEES REFERRALS

Representatives Hackney and Miller, Chairmen for the Standing Committee on Finance, refer:

H.B. 1202, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DEBTS THAT REMAIN UNPAID ONE HUNDRED TWENTY DAYS AFTER THEY ARE DUE ARE TAXABLE AS INCOME TO THE DEBTOR, to the Permanent Subcommittee on Local and Regional Government Revenue.

S.B. 669, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A PORK PROMOTION ASSESSMENT, to the Permanent Subcommittee on State Revenue.

Representative DeVane, Chairman for the Standing Committee on Environment, refers:

S.B. 84, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES PREPARE A WATER RESOURCES DEVELOPMENT PROJECTS PLAN AND TO REQUIRE THE DIRECTOR OF THE BUDGET TO REVIEW THE PLAN IN MAKING RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR FUNDING OF WATER RESOURCES DEVELOPMENT PROJECTS, to the Permanent Subcommittee on Water, Air and Soil.

S.B. 151, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE NATURAL AND SCENIC RIVERS SYSTEM AND TO REQUIRE ZONING AND OTHER LAND-USE CONTROLS TO PROTECT DESIGNATED RIVERS, to the Permanent Subcommittee on Water, Air and Soil.

S.B. 821, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ISSUANCE OF A PERMIT FOR A NEW SANITARY LANDFILL OR FOR AN EXPANSION OF AN EXISTING SANITARY LANDFILL LOCATED IN CERTAIN CLASSIFIED WATER SUPPLY WATERSHEDS, to the Permanent Subcommittee on Water, Air and Soil.

S.B. 377, A BILL TO BE ENTITLED AN ACT TO ALLOW DISCRETION BY THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AS TO WHETHER TO SEEK FEDERAL APPROVAL OF ANY INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE CLEANUP AND AS TO WHETHER ENVIRONMENTAL PERMITS ARE REQUIRED FOR

CLEANUPS CONDUCTED ENTIRELY ON-SITE, to the Permanent Subcommittee on Hazardous Waste.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Barnes for the Committee on Education:

Committee Substitute for **S.B. 282**, A BILL TO BE ENTITLED AN ACT TO IMPROVE PROCEDURES RELATING TO ACADEMICALLY GIFTED STUDENTS, with a favorable report.

Committee Substitute for **S.B. 822**, A BILL TO BE ENTITLED AN ACT TO APPOINT A STUDENT MEMBER TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND TO ESTABLISH A NEW CATEGORY OF MEMBERS EMERITUS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for May 28. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representative Stamey, Chairman for the Standing Committee on Transportation, refers:

S.B. 131, A BILL TO BE ENTITLED AN ACT TO ALLOW THE FILING OF AN AFFIDAVIT BY THE SECRETARY OF TRANSPORTATION OR BY AN OFFICER OF THE RAILROAD TO STATE AN INTENTION TO PRESERVE A RAILROAD EASEMENT FOR FUTURE TRANSPORTATION PURPOSES AND NEGATE THE PRESUMPTION OF ABANDONMENT, to the Permanent Subcommittee on Airports, Railways and Waterways.

S.B. 112, A BILL TO BE ENTITLED AN ACT TO MAKE ANNUAL SPECIAL FUEL REPORTS DUE THE SAME TIME AS ANNUAL MOTOR CARRIER REPORTS AND TO MAKE CONFORMING CHANGES TO THE MOTOR CARRIER LAWS TO FACILITATE ANNUAL MOTOR CARRIER REPORTS, to the Permanent Subcommittee on Highways.

S.B. 447, A BILL TO BE ENTITLED AN ACT TO PERMIT VEHICLES TRANSPORTING HEATING FUEL TO EXCEED LIMITS ON LIGHT-TRAFFIC ROADS, to the Permanent Subcommittee on Highways.

H.B. 1185, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE COMMISSIONER OF MOTOR VEHICLES TO FACTOR IN HIGH OR LOW MILEAGE IN DETERMINING MOTOR VEHICLE VALUES FOR TAX PURPOSES, to the Permanent Subcommittee on Public Transportation.

S.B. 218, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO CANCEL THE

REGISTRATION AND TITLE OF CERTAIN VEHICLES AND DELETING AN OBSOLETE REQUIREMENT CONCERNING INFORMATION GIVEN IN AN APPLICATION FOR A CERTIFICATE OF TITLE, to the Permanent Subcommittee on Public Transportation.

S.B. 746, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE USE OF MOTORIZED WHEELCHAIRS OR SIMILAR VEHICLES NOT EXCEEDING 1000 POUNDS GROSS WEIGHT FOR PEDESTRIAN PURPOSES BY PERSONS WITH MOBILITY IMPAIRMENTS, to the Permanent Subcommittee on Public Transportation.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 11, AN ACT TO REPEAL THE SUNSET PROVISION OF THE ADMINISTRATIVE PROCEDURE ACT. (CHAPTER 103)

S.B. 460, AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO ISSUE PROCLAMATIONS SUSPENDING OR EXTENDING THE HOOK-AND-LINE SEASON FOR STRIPED BASS FISHING. (CHAPTER 104)

S.B. 492, AN ACT TO CHANGE THE DATE OF THE NONPARTISAN AVERY COUNTY SCHOOL BOARD ELECTION FROM MAY TO NOVEMBER. (CHAPTER 105)

S.B. 493, AN ACT TO CHANGE THE PAY DATE FOR CERTAIN EMPLOYEES OF THE KINGS MOUNTAIN SCHOOLS. (CHAPTER 106)

S.B. 520, AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO PROVIDE FOR IMPROVEMENTS TO REAL PROPERTY BY THE SELLER OR LESSOR OF THE PROPERTY. (CHAPTER 107)

S.B. 553, AN ACT TO PROHIBIT HUNTING ON OR ACROSS THE RIGHT-OF-WAY OF PUBLIC ROADS OR HIGHWAYS IN A PORTION OF FRANKLIN COUNTY AND TO REQUIRE WRITTEN PERMISSION BEFORE HUNTING ON OR ACROSS THE RIGHT-OF-WAY OF PUBLIC ROADS OR HIGHWAYS IN THE REMAINDER OF FRANKLIN COUNTY. (CHAPTER 108)

S.B. 763, AN ACT TO PROVIDE THAT THE DISTRICT ATTORNEY MAY TAKE A VOLUNTARY DISMISSAL IN A DEFERRED PROSECUTION. (CHAPTER 109)

H.B. 51, AN ACT TO CONSOLIDATE AND REVISE STATUTES CONCERNING THE PROPERTY TAX COMMISSION, TO REPEAL UNNECESSARY DUTIES OF THE DEPARTMENT OF REVENUE, TO REPEAL THE REQUIREMENT THAT ALL OF THE EMPLOYEES IN THE DEPARTMENT OF REVENUE TAKE AN OATH, AND TO CONFORM THE OATHS REQUIRED BY THE OFFICEHOLDERS IN THE DEPARTMENT OF REVENUE TO THE OATH REQUIRED BY THE CONSTITUTION. (CHAPTER 110)

H.B. 249, AN ACT TO EXTEND BY TWO YEARS THE PERIOD DURING WHICH A SMALL BUSINESS CONCERN MAY REMAIN IN AN INCUBATOR FACILITY. (CHAPTER 111)

H.B. 299, AN ACT TO SIMPLIFY THE DESIGNATION OF TRUCK ROUTES. (CHAPTER 112)

H.B. 331, AN ACT TO REQUIRE TWO REAR-VISION MIRRORS ON CERTAIN TRUCKS, BUSES, AND TRUCK TRACTORS. (CHAPTER 113)

H.B. 849, AN ACT TO REQUIRE REGISTERS OF DEEDS TO RECORD AS SEPARATE INSTRUMENTS ALL SUBSEQUENT ENTRIES REGARDING DEEDS OF TRUST, MORTGAGES, AND OTHER INSTRUMENTS AS SEPARATE INSTRUMENTS. (CHAPTER 114)

S.J.R. 194, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ROBERT STRINGFIELD SWAIN, LATE MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 15)

CALENDAR

Action is taken on the following:

H.B. 562, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE COUNCIL ON THE STATUS OF WOMEN TO THE NORTH CAROLINA COUNCIL FOR WOMEN.

On motion of Representative Easterling, the House concurs in the Senate amendment, by electronic vote (95-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 789**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF GASTONIA.

On motion of Representative Gamble, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beard, Black, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green, Grimmer, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kerr, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Wicker, Wilmoth, Wilson, and Withrow - 97.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Dickson, Greenwood, Hackney, Hardaway, Kennedy, Robinson, Warner, Wood, and Woodard - 10.

GUESTS

Representative Anderson is recognized and announces Special Guests waiting at the door of the House.

The Speaker appoints Representatives Anderson, Lilley, Wainwright, Ethridge, Grady, Smith, Kerr and Russell to escort Prisoners of War (Operation Desert Storm) from North Carolina to the Well of the House.

Representative Anderson introduces Major Joseph J. Small, III, New River Marine Corps Air Station; Major Thomas E. Griffith, Jr., Seymour Johnson Air Force Base; Captain Russell A. C. Sanborn, Cherry Point Marine Corps Air Station. The fourth POW, Colonel David W. Eberly, Seymour Johnson Air Force Base, was unable to attend.

CALENDAR (continued)

H.J.R. 1294, A JOINT RESOLUTION HONORING COLONEL DAVID W. EBERLY, MAJOR THOMAS EDWARD GRIFFITH, JR., MAJOR JOSEPH J. SMALL, III, AND CAPTAIN RUSSELL A.C. SANBORN, FORMER PRISONERS OF WAR DURING OPERATION DESERT STORM, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

GUESTS (continued)

Following the adoption of House Joint Resolution commemorative of their service to the State of North Carolina and the Nation, Major Small thanks the citizens of North Carolina for the support given to all participants of Operation Desert Storm.

Each POW was presented a Book on North Carolina by the Speaker from all North Carolinians.

The following guests and family members are extended the courtesies of the gallery: Leanne Small, wife of Major Joseph J. Small, Lauren Small, 8 year old daughter, Michael Small, 7 year old son; Liz Griffith, wife of Major Thomas E. Griffith, Jr., Dyanne Griffith, 10 year old daughter, Megan Griffith, 7 year old daughter, Katherine Griffith, 4 year old daughter, Trey Griffith 2 year old son; Linda Sanborn, wife of Captain Russell Sanborn; Colonel D. A. Jones, New River Marine Corps Air Station, Commanding Officer of New River Marine Corps Air Station and Mrs. Jones. Colonel Fred McCorkle, New River Marine Corps Air Station, Commanding Officer of Marine Aircraft Group and Mrs. McCorkle. Lt. Colonel R. R. Lazisky, New River Marine

Corps Air Station, Commanding Officer of Marine Observation Squadron and Mrs. Lazisky.

CALENDAR (continued)

H.B. 802, A BILL TO BE ENTITLED AN ACT TO ENABLE THE TOWN OF LAUREL PARK TO ASSESS BENEFITED PROPERTY OWNERS FOR STREET AND SIDEWALK IMPROVEMENTS.

On motion of Representative Justus, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, N. J. Crawford, Creech, Culp, Dawkins, DeVane, Dial, Diamont, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Gray, Green, Grimmer, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Redwine, Rhodes, Rogers, Russell, Stewart, Tallent, Thompson, Wicker, Wilmoth, and Withrow - 88.

Voting in the negative: Representative Wilson.

Excused absences: Representatives Abernethy, Dickson, Greenwood, Hackney, Hardaway, Kennedy, Lutz, Robinson, Warner, Wood, and Woodard - 11.

S.B. 629, A BILL TO BE ENTITLED AN ACT TO EXEMPT UNION COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE CONSTRUCTION OF COUNTY DETENTION FACILITY.

On motion of Representative Loflin, the bill is withdrawn from the Calendar and re-referred to the Committee on Local and Regional Government II.

Committee Substitute for **S.B. 477, A BILL TO BE ENTITLED AN ACT TO PERMIT NEW HANOVER COUNTY TO PROVIDE PROCEDURES FOR EVALUATING CONTRACTORS BY ORDINANCE**, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 544, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW REGULATING THE SETTING OF STEEL TRAPS IN PENDER COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 569, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WILMINGTON TO AUTHORIZE ZONING DENSITY BONUSES IN PROJECTS CONTAINING SPECIFIED AMOUNTS OF LOW AND MODERATE INCOME HOUSING, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 578, A BILL TO BE ENTITLED AN ACT TO ALLOW PENDER COUNTY TO ACQUIRE PROPERTY FOR USE BY THE PENDER COUNTY BOARD OF EDUCATION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 615, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON WITH RESPECT TO THE ENFORCEMENT OF BUILDING AND HOUSING ORDINANCES, AND TO AMEND THE CHARTER OF THE TOWN OF WINTON TO IDENTIFY VOLUNTEER FIRE AND RESCUE SERVICES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 619, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO FILE WITH THE REGISTER OF DEEDS A NOTICE OF SPECIAL CONDITIONS ATTACHED TO THE ZONING OF PROPERTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 631, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELECTION DATE FOR THE BOARD OF EDUCATION OF THE GREENSBORO CITY SCHOOL ADMINISTRATIVE UNIT TO BE THE SAME AS FOR THE CITY OF GREENSBORO, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **H.B. 628**, A BILL TO BE ENTITLED AN ACT TO LIMIT THE NUMBER OF HOURS THAT YOUTHS ENROLLED IN SCHOOL ARE ALLOWED TO WORK.

Representative Bowman offers Amendment No. 2 which is adopted by electronic vote (84-3).

The bill, as amended, passes its third reading, by electronic vote (65-29), and is ordered engrossed.

S.B. 134, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO DESIGNATE STATE TRAILS BY WRITTEN

AGREEMENTS WITH PRIVATE LANDOWNERS AND OTHER UNITS OF GOVERNMENT WITHOUT REQUIRING THE DEPARTMENT TO POSSESS AN INTEREST IN THE PROPERTY, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 330, A BILL TO BE ENTITLED AN ACT TO MAKE THE OBSTRUCTION OF STREAMS AND DITCHES A STRICT LIABILITY OFFENSE, TO INCREASE THE PENALTIES FOR THE OBSTRUCTION OF STREAMS AND DITCHES, AND TO REDEFINE THE AUTHORITY OF FOREST LAW ENFORCEMENT OFFICERS TO ENFORCE THE PROHIBITION AGAINST OBSTRUCTION OF STREAMS AND DITCHES.

On motion of Representative Creech, consideration of the bill is postponed until May 28.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Barnes for the Committee on Education:

S.B. 280, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA CENTER FOR APPLIED TEXTILE TECHNOLOGY, with a favorable report as to House committee substitute bill, unfavorable as to Senate bill.

The House committee substitute bill is placed on the Calendar for May 28. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Jack Hunt, seconded by Representative Kahl, the House adjourns, by electronic vote (100-0), at 3:01 p.m. to reconvene Monday, May 27, 1991 at 8:00 p.m.

SEVENTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Monday, May 27, 1991

The House meets at 8:00 p.m. pursuant to adjournment and is called to order by the Speaker.

In lieu of the opening prayer, Miss Christie Lynn Horn, Miss Junior America, Fayetteville, North Carolina, sings the Lords Prayer and U. S. of America.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of May 23 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barbee, Beard, Brubaker, Fletcher, Gardner, Gist, Gray, Hackney, Sam Hunt, and Kahl for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Dawkins for the Committee on Judiciary II:

Committee Substitute for **H.B. 301**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CEMETERY ACT AND RELATED STATUTES, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Committee Substitute Bill No. 2 is placed on the Calendar for May 29. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 561, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MINIMUM STANDARDS, DUTIES, AND RESPONSIBILITIES OF COMPANY POLICE OFFICERS AND COMPANY POLICE AGENCIES, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Jeralds for the Committee on Human Resources:

H.B. 860, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE SOCIAL SERVICES COMMISSION ADOPT RULES SETTING STATE/COUNTY SPECIAL ASSISTANCE ELIGIBILITY FOR DOMICILIARY CARE TO CORRESPOND WITH THE RULES DETERMINING FEDERAL MEDICAID ELIGIBILITY, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H.B. 890, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NEWBORN SCREENING PROGRAM WITHIN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H.B. 1077, A BILL TO BE ENTITLED AN ACT TO CREATE A STUDY ON ACCESS TO HEALTH INSURANCE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representatives Hackney and Miller for the Committee on Finance:

Committee Substitute No. 2 for **H.B. 225**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DARE COUNTY TO INCREASE ITS OCCUPANCY TAX, LEVY A RESTAURANT TAX, AND CREATE A TOURISM BOARD TO PROMOTE TOURISM IN DARE COUNTY, with recommendation that the House concur.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

May 23, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that pursuant to motion, bills received by the Senate not in compliance with Senate Rule 41(b) will be read and referred to the Committee on Rules and Operation of the Senate.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

S.J.R. 953, A JOINT RESOLUTION HONORING COLONEL DAVID W. EBERLY, MAJOR THOMAS EDWARD GRIFFITH, JR., MAJOR JOSEPH J. SMALL, III, AND CAPTAIN RUSSELL A. C. SANBORN, FORMER PRISONERS OF WAR DURING OPERATION DESERT STORM, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 848, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REQUIREMENTS CONCERNING THE INDEXING AND FILING OF CERTAIN UCC STATEMENTS, is returned for concurrence in Senate amendment and placed on the Calendar for May 28.

Committee Substitute for **H.B. 951**, A BILL TO BE ENTITLED AN ACT TO ALLOW A LANDLORD'S WRITTEN, SIGNED STATEMENT OF PAST-DUE RENT, MADE UPON THE TENANT'S REQUEST, TO SERVE AS NOTIFICATION OF EVICTION FOR EMERGENCY ASSISTANCE FROM THE COUNTY DEPARTMENT OF SOCIAL SERVICES, is returned for concurrence in Senate amendment and placed on the Calendar for May 28.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 134, AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO DESIGNATE STATE TRAILS BY WRITTEN AGREEMENTS WITH PRIVATE LANDOWNERS AND OTHER UNITS OF GOVERNMENT WITHOUT REQUIRING THE DEPARTMENT TO POSSESS AN INTEREST IN THE PROPERTY. (CHAPTER 115)

S.B. 299, AN ACT TO INCORPORATE THE TOWN OF LEWISVILLE IN FORSYTH COUNTY. (CHAPTER 116)

S.B. 477, AN ACT TO PERMIT NEW HANOVER COUNTY TO PROVIDE PROCEDURES FOR EVALUATING CONTRACTORS BY ORDINANCE. (CHAPTER 117)

S.B. 544, AN ACT TO REPEAL THE LAW REGULATING THE SETTING OF STEEL TRAPS IN PENDER COUNTY. (CHAPTER 118)

S.B. 569, AN ACT AMENDING THE CHARTER OF THE CITY OF WILMINGTON TO AUTHORIZE ZONING DENSITY BONUSES IN PROJECTS CONTAINING SPECIFIED AMOUNTS OF LOW AND MODERATE INCOME HOUSING. (CHAPTER 119)

S.B. 578, AN ACT TO ALLOW PENDER COUNTY TO ACQUIRE PROPERTY FOR USE BY THE PENDER COUNTY BOARD OF EDUCATION. (CHAPTER 120)

S.B. 615, AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON WITH RESPECT TO THE ENFORCEMENT OF BUILDING AND HOUSING ORDINANCES, AND TO AMEND THE CHARTER OF THE TOWN OF WINTON TO IDENTIFY VOLUNTEER FIRE AND RESCUE SERVICES. (CHAPTER 121)

S.B. 619, AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO FILE WITH THE REGISTER OF DEEDS A NOTICE OF SPECIAL CONDITIONS ATTACHED TO THE ZONING OF PROPERTY. (CHAPTER 122)

S.B. 631, AN ACT TO CHANGE THE ELECTION DATE FOR THE BOARD OF EDUCATION OF THE GREENSBORO CITY SCHOOL ADMINISTRATIVE UNIT TO BE THE SAME AS FOR THE CITY OF GREENSBORO. (CHAPTER 123)

H.B. 38, AN ACT TO CHANGE THE COMPOSITION OF THE GENERAL CONTRACTORS LICENSING BOARD. (CHAPTER 124)

H.B. 353, AN ACT TO MAKE VARIOUS TECHNICAL AMENDMENTS TO THE PHARMACY PRACTICE ACT. (CHAPTER 125)

H.B. 372, AN ACT TO CLARIFY THE LAW RELATING TO THERAPEUTIC LEAVE FOR MEDICAL ASSISTANCE PATIENTS. (CHAPTER 126)

H.B. 373, AN ACT TO INCLUDE QUALIFIED DISABLED WORKING INDIVIDUALS IN MEDICARE AS REQUIRED BY FEDERAL LAW. (CHAPTER 127)

H.B. 385, AN ACT TO AMEND THE MAKEUP OF THE YOUTH ADVISORY COUNCIL. (CHAPTER 128)

H.B. 407, AN ACT TO CONTINUE PERIODIC REVIEW OF ELECTRIC UTILITY FUEL COSTS. (CHAPTER 129)

H.B. 409, AN ACT TO PROVIDE THAT THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES OR HIS DESIGNEE SHALL BE AN EX OFFICIO MEMBER OF THE NORTH CAROLINA FARMWORKER COUNCIL. (CHAPTER 130)

H.B. 441, AN ACT TO PROVIDE THAT TWO AWARDS FOR PREEMINENT ACCOMPLISHMENT MAY BE MADE TO NATIVE-BORN NORTH CAROLINIANS RESIDING OUTSIDE THE STATE. (CHAPTER 131)

H.B. 554, AN ACT TO PROVIDE FOR THE CONTROL OF AQUATIC WEEDS. (CHAPTER 132)

H.B. 559, AN ACT TO MAKE A TECHNICAL CORRECTION IN THE LAW REGARDING CERTIFICATES FOR FIRE PREVENTION INSPECTORS. (CHAPTER 133)

H.B. 562, AN ACT TO CHANGE THE NAME OF THE COUNCIL ON THE STATUS OF WOMEN TO THE NORTH CAROLINA COUNCIL FOR WOMEN. (CHAPTER 134)

H.B. 570, AN ACT TO STUDY THE ORGANIZATIONAL STRUCTURE OF THE MARINE FISHERIES COMMISSION AND THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES. (CHAPTER 135).

H.B. 637, AN ACT TO EXPAND AND REDISTRICT THE GUILFORD COUNTY BOARD OF COMMISSIONERS. (CHAPTER 136)

H.B. 680, AN ACT TO EXEMPT BURKE COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE CONSTRUCTION OF A COUNTY DETENTION FACILITY. (CHAPTER 137)

H.B. 712, AN ACT TO PROHIBIT HUNTING ON, FROM, OR ACROSS THE RIGHT-OF-WAY OF N.C. HIGHWAY 55 AND N.C. HIGHWAY 306 IN PAMLICO COUNTY. (CHAPTER 138)

H.B. 717, AN ACT TO PROVIDE FOR SPECIFIC LICENSING OF RENTAL CAR COMPANY PERSONNEL WHO ACT AS AGENTS FOR INSURERS IN THE SALE OF INSURANCE COVERAGE RELATED TO THE SHORT-TERM RENTAL OF MOTOR VEHICLES. (CHAPTER 139)

H.B. 795, AN ACT TO AMEND THE LAW PERMITTING ELECTROFISHING FOR CATFISH IN PORTIONS OF SAMPSON, PENDER, AND BLADEN COUNTIES. (CHAPTER 140)

H.B. 798, AN ACT TO PROHIBIT HUNTING FROM PUBLIC ROADS IN SAMPSON COUNTY. (CHAPTER 141)

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 789**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF GASTONIA.

Representative Gamble offers Amendment No. 2 which is adopted by electronic vote (98-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Foster, Fussell, Gamble, Gottovi, Grady, Green, Greenwood, Grimmer, Hardaway, Hasty, Hege, Hensley, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 100.

Voting in the negative: None.

Excused absences: Representatives Barbee, Beard, Brubaker, Fletcher, Gardner, Gist, Gray, Hackney, Sam Hunt, and Kahl - 10.

H.B. 802, A BILL TO BE ENTITLED AN ACT TO ENABLE THE TOWN OF LAUREL PARK TO ASSESS BENEFITED PROPERTY OWNERS FOR STREET AND SIDEWALK IMPROVEMENTS.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Foster, Fussell, Gamble, Gottovi, Grady, Green, Greenwood, Grimmer, Hardaway, Hasty, Hege, Hensley, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Withrow, Wood, and Woodard - 100.

Voting in the negative: Representative Wilson.

Excused absences: Representatives Barbee, Beard, Brubaker, Fletcher, Gardner, Gist, Gray, Hackney, Sam Hunt, and Kahl - 10.

S.B. 52, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF LAW ENFORCEMENT OFFICERS TO ARREST WITHOUT A WARRANT FOR CERTAIN MISDEMEANORS.

On motion of Representative Anderson, consideration of the bill is postponed until May 28.

S.B. 130, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONFERENCE OF CHIEF DISTRICT JUDGES TO ADOPT A SCHEDULE OF PARK AND RECREATION OFFENSES THAT ARE WAIVABLE AND ADOPT A SCHEDULE OF FINES AND PENALTIES FOR THOSE THAT ADMIT GUILT OR ACCEPT RESPONSIBILITY.

On motion of Representative Anderson, consideration of the bill is postponed until May 28.

S.B. 661, A BILL TO BE ENTITLED AN ACT TO ADD TO THE LIST OF FIDUCIARY POWERS THE POWERS TO DIVIDE ONE TRUST INTO SEVERAL TRUSTS AND TO CONSOLIDATE SIMILAR TRUSTS.

On motion of Representative Anderson, consideration of the bill is postponed until May 28.

S.B. 414, A BILL TO BE ENTITLED AN ACT TO AMEND THE REVISED UNIFORM LIMITED PARTNERSHIP ACT, passes its second reading by electronic vote (100-1).

Representative Wilson objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **S.B. 417, A BILL TO BE ENTITLED AN ACT TO PROVIDE A UNIFORM PROCEDURE FOR THE SITING OF ELECTRIC TRANSMISSION LINES AS RECOMMENDED BY THE UTILITIES COMMISSION.**

On motion of Representative Colton, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

S.B. 325, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE TIMES WITHIN WHICH HEALTH CARE FACILITIES MAY FILE PETITIONS FOR CONTESTED CASE HEARINGS, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 662, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON THE ACT PERTAINING TO INVENTION DEVELOPMENT SERVICES.

On motion of Representative Diamont, consideration of the bill is postponed until May 28.

S.B. 703, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE TRAVEL AND TOURISM POLICY OF NORTH CAROLINA, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 282, A BILL TO BE ENTITLED AN ACT TO IMPROVE PROCEDURES RELATING TO ACADEMICALLY GIFTED STUDENTS, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

SUBCOMMITTEE REFERRAL

Representative James, Chairman for the Standing Committee on Agriculture, refers:

S.B. 389, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE NORTH CAROLINA MARINE SCIENCE COUNCIL, TO CREATE THE NORTH CAROLINA COUNCIL ON OCEAN AFFAIRS, AND TO REQUIRE THE OFFICE OF MARINE AFFAIRS TO ADMINISTER THE NORTH CAROLINA AQUARIUMS, to the Permanent Subcommittee on Aquaculture and Marine Fisheries.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

H.B. 747, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWNS OF MATTHEWS, MINT HILL, AND PINEVILLE IN MECKLENBURG COUNTY TO REGULATE IN CERTAIN EXTRA-TERRITORIAL AREAS, is returned for concurrence in two Senate amendments and referred to the Committee on Local and Regional Government I.

On motion of Representative Jack Hunt, seconded by Representative Lewis, the House adjourns at 9:00 p.m. to reconvene May 28 at 1:30 p.m.

SEVENTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 28, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Brown.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of May 27 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (72-0).

Leaves of absence are granted Representatives Barbee, Fitch, Gist, Gray, Jeralds, Privette, and Stamey for today.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Lutz for the Committee on Local and Regional Government II:

S.B. 491, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE CLAY COUNTY BOARD OF EDUCATION FROM PARTISAN TO NONPARTISAN, with a favorable report.

Committee Substitute for **S.B. 545**, A BILL TO BE ENTITLED AN ACT RELATING TO SUBDIVISION REGULATION IN PENDER COUNTY, with a favorable report, as amended.

S.B. 555, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATION OF TOWN OF NORTH TOPSAIL BEACH OR ONSLOW COUNTY ORDINANCES, with a favorable report.

S.B. 557, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF DANBURY, with a favorable report.

S.B. 592, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE JACKSON COUNTY BOARD OF EDUCATION FROM PARTISAN TO NONPARTISAN, AND CHANGE THE TIME OF TAKING OFFICE FROM DECEMBER TO JULY, with a favorable report.

S.B. 611, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NASH COUNTY ABC BOARD AND THE CITY OF EDEN ABC BOARD TO MAKE CREDIT CARD SALES IF AUTHORIZED BY THE ABC COMMISSION, with a favorable report.

Committee Substitute No. 2 for **S.B. 623**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO LAWS APPLICABLE IN ORANGE AND CHATHAM COUNTIES, with a favorable report.

SUBCOMMITTEE REFERRAL

Representatives Hackney and Miller, Chairmen for the Standing Committee on Finance, refer:

H.B. 1254, A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATE SALES TAX ON MANUFACTURED HOMES, to the Permanent Subcommittee on Ways and Means.

MESSAGE FROM THE SENATE

The following is received from the Senate:

H.B. 117, A BILL TO BE ENTITLED AN ACT TO INCREASE FINES IN G.S. 113-135 FOR VIOLATION OF RULES ADOPTED

BY THE MARINE FISHERIES COMMISSION OR THE WILDLIFE RESOURCES COMMISSION, AS APPROPRIATE, is returned for concurrence in Senate amendment and placed on the Calendar for May 29.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 282, AN ACT TO IMPROVE PROCEDURES RELATING TO ACADEMICALLY GIFTED STUDENTS. (CHAPTER 142)

S.B. 325, AN ACT TO ESTABLISH THE TIMES WITHIN WHICH HEALTH CARE FACILITIES MAY FILE PETITIONS FOR CONTESTED CASE HEARINGS. (CHAPTER 143)

S.B. 703, AN ACT TO PROVIDE THE TRAVEL AND TOURISM POLICY OF NORTH CAROLINA. (CHAPTER 144)

H.B. 166, AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF A PORTION OF STATE ROAD 1401 IN CRAVEN COUNTY. (CHAPTER 145)

H.B. 348, AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF HARD-SURFACED ROADS IN JONES COUNTY. (CHAPTER 146)

H.B. 600, AN ACT TO AMEND THE LAW REGARDING THE LOCAL SUPPLEMENTAL RETIREMENT BENEFIT FUND FOR FIREFIGHTERS IN THE TOWN OF CARY, IN WAKE COUNTY. (CHAPTER 147)

H.B. 685, AN ACT REGARDING DISCOUNTS FOR PAYMENTS OF PROPERTY TAX IN SURRY COUNTY. (CHAPTER 148)

H.B. 699, AN ACT TO AMEND THE FAYETTEVILLE CITY CHARTER RELATING TO THE FAYETTEVILLE SUPPLEMENTAL FIREMEN'S FUND. (CHAPTER 149)

CALENDAR

Action is taken on the following:

Committee Substitute No. 2 for **H.B. 225**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DARE COUNTY TO INCREASE ITS OCCUPANCY TAX, LEVY A RESTAURANT TAX, AND CREATE A TOURISM BOARD TO PROMOTE TOURISM IN DARE COUNTY.

The Speaker rules the Senate amendment to be material. On motion of Representative Thompson, the House concurs in the material Senate amendment on its second roll call reading by the following vote.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barnes, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church,

Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Green, Greenwood, Hege, Hensley, Hightower, Holmes, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jordan, Justus, Kahl, Lewis, Lilley, Lineberry, Luebke, McAllister, McGee, McLawhorn, Mavretic, Mercer, Michaux, Morgan, Nye, Oldham, Pope, Ramsey, Redwine, Rhodes, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, and Woodard - 88.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Barbee, Fitch, Gist, Gray, Jeralds, Privette, and Stamey - 7.

The bill remains on the Calendar for concurrence in Senate amendment on its third roll call reading.

H.B. 848, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REQUIREMENTS CONCERNING THE INDEXING AND FILING OF CERTAIN UCC STATEMENTS.

On motion of Representative Redwine, the House concurs in the Senate amendment, by electronic vote (93-0), and the bill is ordered enrolled.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Dawkins for the Committee on Judiciary II:

S.B. 291, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF ELECTRONIC MEANS FOR THE DOCKETING OF CIVIL JUDGMENTS AND THE MAKING OF ENTRIES IN JUDGMENT DOCKETS AND JUDGMENT AND DOCKET BOOKS, with a favorable report.

S.B. 419, A BILL TO BE ENTITLED AN ACT TO ALLOW FILING OF COURT PAPERS BY TELEFACSIMILE TRANSMISSION PURSUANT TO RULES ESTABLISHED BY THE SUPREME COURT AND THE ADMINISTRATIVE OFFICER OF THE COURTS, with a favorable report.

S.B. 660, A BILL TO BE ENTITLED AN ACT TO REPEAL THE BOAT HULL ANTI-COPYING ACT, with a favorable report.

S.B. 741, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REVOCATION OF UNRECORDED DURABLE POWERS OF ATTORNEY AND TO PROVIDE FOR PROOF OF EFFECTIVENESS OF A DURABLE POWER OF ATTORNEY BY AFFIDAVIT OF ATTORNEY-IN-FACT, with a favorable report.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Kerr for the Permanent Subcommittee on State Revenue:

H.B. 64, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE AND SIMPLIFY THE SPECIAL LICENSE PLATE LAWS, reported to the Standing Committee on Finance, with a favorable recommendation, as amended.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Thompson for the Committee on Local and Regional Government I:

H.B. 747, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWNS OF MATTHEWS, MINT HILL, AND PINEVILLE IN MECKLENBURG COUNTY TO REGULATE IN CERTAIN EXTRA-TERRITORIAL AREAS, with recommendation that the House concur.

On motion of Representative Black, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Black, the House concurs in Senate Amendment No. 1 by electronic vote (104-0). This amendment changes the title.

On motion of Representative Black, the House concurs in Senate Amendment No. 2, by electronic vote (103-0), and the bill is ordered enrolled.

By Representative R. Hunter for the Committee on Judiciary III:

Committee Substitute for **S.B. 686**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO CLARIFY THE CONFLICT OF INTEREST LAW RELATING TO BOARDS OF DIRECTORS OF HOSPITAL, MEDICAL, AND DENTAL SERVICE CORPORATIONS, with a favorable report.

S.B. 780, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAW RESTRICTING THE EXERCISE OF POWER FOR A FIDUCIARY'S BENEFIT, with a favorable report.

CALENDAR (continued)

Committee Substitute for **H.B. 951**, A BILL TO BE ENTITLED AN ACT TO ALLOW A LANDLORD'S WRITTEN, SIGNED STATEMENT OF PAST-DUE RENT, MADE UPON THE TENANT'S REQUEST, TO SERVE AS NOTIFICATION OF EVICTION FOR EMERGENCY ASSISTANCE FROM THE COUNTY DEPARTMENT OF SOCIAL SERVICES.

On motion of Representative Mercer, the House concurs in the Senate amendment, by electronic vote (103-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 726**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONDITIONS ON USE OF PROCEEDS OF A GOLDSBORO OCCUPANCY TAX AND TO RAISE THE FORCE ACCOUNT CONSTRUCTION LIMIT FOR CERTAIN STORM DRAINAGE PROJECTS IN GOLDSBORO.

Representative Kerr offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Gardner, Gottovi, Grady, Green, Greenwood, Grimmer, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Ramsey, Redwine, Rhodes, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 101.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Barbee, Fitch, Gist, Gray, Hackney, Jeralds, Privette, and Stamey - 8.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Kennedy for the Committee on Judiciary I:

S.B. 690, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ENFORCEMENT OF A LIEN ON A MOTOR VEHICLE IN CONNECTION WITH REPAIRS, WHEN THE LIENOR DOES NOT HAVE POSSESSION OF THE MOTOR VEHICLE, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for May 30. The original bill is placed on the Unfavorable Calendar.

S.B. 754, A BILL TO BE ENTITLED AN ACT TO REGULATE SUNDAY SALES AND CONSUMPTION OF ALCOHOLIC BEVERAGES, with a favorable report.

CALENDAR (continued)

S.B. 495, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CONTRACTS FOR A SIXTY-FOUR-BED ADDITION TO THE

PRESENT JAIL FACILITY OF WILSON COUNTY FROM THE REQUIREMENTS OF THE PUBLIC BIDDING LAWS.

On motion of Representative Lewis, consideration of the bill is postponed until May 29.

S.B. 414, A BILL TO BE ENTITLED AN ACT TO AMEND THE REVISED UNIFORM LIMITED PARTNERSHIP ACT, passes its third reading, by electronic vote (102-0), and is ordered enrolled.

REPRESENTATIVE COLTON, SPEAKER PRO TEMPORE, PRESIDING.

S.B. 330, A BILL TO BE ENTITLED AN ACT TO MAKE THE OBSTRUCTION OF STREAMS AND DITCHES A STRICT LIABILITY OFFENSE, TO INCREASE THE PENALTIES FOR THE OBSTRUCTION OF STREAMS AND DITCHES, AND TO REDEFINE THE AUTHORITY OF FOREST LAW ENFORCEMENT OFFICERS TO ENFORCE THE PROHIBITION AGAINST OBSTRUCTION OF STREAMS AND DITCHES, passes its second reading, by electronic vote (91-6), and there being no objection is read a third time.

The bill passes its third reading, by electronic vote (93-10), and is ordered enrolled.

S.B. 52, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF LAW ENFORCEMENT OFFICERS TO ARREST WITHOUT A WARRANT FOR CERTAIN MISDEMEANORS, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 661, A BILL TO BE ENTITLED AN ACT TO ADD TO THE LIST OF FIDUCIARY POWERS THE POWERS TO DIVIDE ONE TRUST INTO SEVERAL TRUSTS AND TO CONSOLIDATE SIMILAR TRUSTS.

On motion of Representative Hensley, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

House Committee Substitute Joint Resolution for **S.J.R. 153, A JOINT RESOLUTION COMMEMORATING THE LIFE OF GURNEY P. HOOD UPON THE SIXTIETH ANNIVERSARY OF THE NORTH CAROLINA BANKING COMMISSION,** passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute joint resolution by Special Message.

S.B. 130, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONFERENCE OF CHIEF DISTRICT JUDGES TO ADOPT A SCHEDULE OF PARK AND RECREATION OFFENSES THAT ARE WAIVABLE AND ADOPT A SCHEDULE OF FINES AND PENALTIES FOR THOSE THAT ADMIT GUILT OR ACCEPT RESPONSIBILITY, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 662, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON THE ACT PERTAINING TO INVENTION DEVELOPMENT SERVICES.

On motion of Representative Diamont, consideration of the bill is postponed until June 4.

SPEAKER BLUE PRESIDING.

House Committee Substitute for **S.B. 822, A BILL TO BE ENTITLED AN ACT TO APPOINT A STUDENT MEMBER TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND TO ESTABLISH A NEW CATEGORY OF MEMBERS EMERITUS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA,** passes its second reading by electronic vote (97-5).

Representative Barnes objects to the third reading. The bill remains on the Calendar.

House Committee Substitute for **S.B. 280, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA CENTER FOR APPLIED TEXTILE TECHNOLOGY.**

Representative Abernethy requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

RE-REFERRAL

On motion of Representative Kennedy, **S.B. 24, A BILL TO BE ENTITLED AN ACT TO TO DENY ELIGIBILITY FOR OR REVOKE THE DRIVER'S LICENSE OF A DELINQUENT MINOR FOR ONE YEAR OR UNTIL AGE EIGHTEEN FOR ALCOHOL, DRUG, OR WEAPONS VIOLATIONS,** is withdrawn from the Committee on Judiciary I and re-referred to the Committee on Judiciary II.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 64, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE AND SIMPLIFY THE SPECIAL LICENSE PLATE LAWS, with a favorable report, as amended.

On motion of Representative Jack Hunt, seconded by Representative Luebke, the House adjourns, by electronic vote (99-4), at 2:38 p.m. to reconvene May 29 at 1:30 p.m.

SEVENTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 29, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker Pro Tempore, Representative Colton.

Prayer is offered by Representative Dickson.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of May 28 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (66-0).

Leaves of absence are granted Representatives Abernethy, Fitch, Hackney, Hardaway, Rhodes, and Warner for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 291, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO LEVY A MOTOR VEHICLE TAX NOT TO EXCEED TWENTY-FIVE DOLLARS, with recommendation that the House concur.

H.B. 709, A BILL TO BE ENTITLED AN ACT TO PROVIDE A MECHANISM TO ESTABLISH A STATEWIDE, AUTOMATED PROGRAM FOR THE CHEMICAL TESTING FOR ALCOHOL IN IMPAIRED DRIVERS AND TO MAKE THE ADMINISTRATION OF THAT PROGRAM MORE EFFECTIVE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

S.B. 260, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF TOBACCOVILLE, SUBJECT TO A REFERENDUM, TO AMEND THE CHARTER OF THE CITY OF KING, AND TO AUTHORIZE ENTRY INTO AND RECORDATION OF AN AGREEMENT, with a favorable report.

By Representative Ramsey for the Committee on Public Employees:

H.B. 744, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL BOARDS OF EDUCATION TO ESTABLISH SICK LEAVE BANKS FOR PUBLIC SCHOOL EMPLOYEES, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H.B. 943, A BILL TO BE ENTITLED AN ACT TO ALLOW STATE EMPLOYEES RETIREMENT SERVICE CREDIT FOR ACCUMULATED VACATION IN EXCESS OF THIRTY DAYS, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

S.B. 312, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TEACHERS MAY PARTICIPATE IN THE PUBLIC EMPLOYEES' COMPENSATION PLAN, with a favorable report.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Barnhill for the Permanent Subcommittee on Health and Mental Health of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 293, A BILL TO BE ENTITLED AN ACT TO ALLOW AREA AUTHORITIES TO PROVIDE SERVICES UNDER CONTRACT TO CERTAIN ENTITIES, with a favorable report, as amended.

S.B. 326, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE AUTHORITY OF THE DEPARTMENT OF HUMAN RESOURCES TO MAINTAIN A REGISTRY OF NURSE AIDES AND TO INCLUDE FINDINGS OF ABUSE, NEGLECT, AND MISAPPROPRIATION IN THE NURSE AIDE REGISTRY, with a favorable report.

By Representative Lilley for the Permanent Subcommittee on Ways and Means:

H.B. 318, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES FOR INITIAL OUTDOOR ADVERTISING PERMITS TO COVER THE COST OF PROCESSING THOSE PERMITS, reported to the Standing Committee on Finance, with recommendation to postpone the bill indefinitely.

H.B. 1010, A BILL TO BE ENTITLED AN ACT TO LICENSE WHOLESALE DRUG DISTRIBUTORS, reported to the Standing Committee on Finance, with a favorable recommendation as to proposed Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

By Representative J. W. Crawford for the Permanent Subcommittee on Water, Air and Soil of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

Committee Substitute for **S.B. 84**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES PREPARE A WATER RESOURCES DEVELOPMENT PROJECTS PLAN AND TO REQUIRE THE DIRECTOR OF THE BUDGET TO REVIEW THE PLAN IN MAKING RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR FUNDING OF WATER RESOURCES DEVELOPMENT PROJECTS, with a favorable report.

Committee Substitute for **S.B. 151**, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE NATURAL AND SCENIC RIVERS SYSTEM AND TO REQUIRE ZONING AND OTHER LAND-USE CONTROLS TO PROTECT DESIGNATED RIVERS, with a favorable report.

Committee Substitute for **S.B. 344**, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE NORTH CAROLINA CLEAN WATER REVOLVING LOAN AND GRANT PROGRAM TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, with a favorable report.

By Representative Jarrell for the Permanent Subcommittee on Airports, Railways and Waterways of the Standing Committee on Transportation, with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 131, A BILL TO BE ENTITLED AN ACT TO ALLOW THE FILING OF AN AFFIDAVIT BY THE SECRETARY OF TRANSPORTATION OR BY AN OFFICER OF THE RAILROAD TO STATE AN INTENTION TO PRESERVE A RAILROAD EASEMENT FOR FUTURE TRANSPORTATION PURPOSES AND NEGATE THE PRESUMPTION OF ABANDONMENT, with a favorable report, as amended.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Gist for the Committee on Local and Regional Government I:

Committee Substitute for **S.B. 479**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF SMITHFIELD TO INCLUDE THE JOHNSTON COUNTY COUNTRY CLUB, with a favorable report.

On motion of Representative Thompson, the bill is re-referred to the Committee on Finance.

S.B. 537, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DISTRIBUTION OF THE PROFITS FROM THE CITY OF STATESVILLE ABC SYSTEM, with a favorable report.

Committee Substitute for **S.B. 538**, A BILL TO BE ENTITLED AN ACT CONCERNING THE JOHNSTON COUNTY BOARD OF EDUCATION, with a favorable report, as amended.

SPEAKER BLUE PRESIDING.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Lineberry for the Permanent Subcommittee on Small Business:

H.B. 375, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COUNTY TAX ASSESSOR SHALL MAKE CERTAIN TAXPAYER BUSINESS RECORDS AVAILABLE TO THE EMPLOYMENT SECURITY COMMISSION ON REQUEST, reported to the Standing Committee on Economic Expansion, with recommendation to postpone the bill indefinitely.

H.B. 975, A BILL TO BE ENTITLED AN ACT TO PREVENT THE RECORDATION OF PERSONAL IDENTIFICATION INFORMATION ON CREDIT CARD TRANSACTION FORMS, reported to the Standing Committee on Economic Expansion, with recommendation to postpone the bill indefinitely.

H.B. 995, A BILL TO BE ENTITLED AN ACT TO REGULATE CERTAIN EMPLOYMENT AGENCIES EXEMPTED FROM CURRENT REGULATION, reported to the Standing Committee on Economic Expansion, with recommendation to postpone the bill indefinitely.

By Representative Hurley for the Permanent Subcommittee on Public Transportation of the Standing Committee on Transportation, with approval of the standing committee chairman for report to be made directly to the floor of the House:

H.B. 1185, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE COMMISSIONER OF MOTOR VEHICLES TO FACTOR IN HIGH OR LOW MILEAGE IN DETERMINING MOTOR VEHICLE VALUES FOR TAX PURPOSES, with a favorable report.

On motion of Representative Hurley, the bill is re-referred to the Committee on Finance.

Committee Substitute for **S.B. 218**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO CANCEL THE REGISTRATION AND TITLE OF CERTAIN VEHICLES AND DELETING AN OBSOLETE REQUIREMENT CONCERNING INFORMATION GIVEN IN AN APPLICATION FOR A CERTIFICATE OF TITLE, with a favorable report.

Committee Substitute for **S.B. 746**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE USE OF MOTORIZED WHEELCHAIRS OR SIMILAR VEHICLES NOT EXCEEDING 1000 POUNDS GROSS WEIGHT FOR PEDESTRIAN PURPOSES BY PERSONS WITH MOBILITY IMPAIRMENTS, with a favorable report.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 483, A BILL TO BE ENTITLED AN ACT TO MAKE IMPROVEMENTS IN THE FINANCIAL REGULATION OF CONTINUING CARE FACILITIES, is returned for concurrence in Senate amendment and placed on the Calendar for May 30.

H.B. 598, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS, TO PROHIBIT HUNTING ON ANOTHER'S LAND WITHOUT PERMISSION, AND TO REGULATE HUNTING WITH CENTER FIRE RIFLES IN PASQUOTANK COUNTY, is returned for concurrence in Senate committee substitute, which changes the title, and referred to the Committee on Local and Regional Government I.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 52, AN ACT TO CLARIFY THE AUTHORITY OF LAW ENFORCEMENT OFFICERS TO ARREST WITHOUT A WARRANT FOR CERTAIN MISDEMEANORS. (CHAPTER 150)

S.B. 130, AN ACT TO AUTHORIZE THE CONFERENCE OF CHIEF DISTRICT JUDGES TO ADOPT A SCHEDULE OF PARK AND RECREATION OFFENSES THAT ARE WAIVABLE AND ADOPT A SCHEDULE OF FINES AND PENALTIES FOR THOSE THAT ADMIT GUILT OR ACCEPT RESPONSIBILITY. (CHAPTER 151)

S.B. 330, AN ACT TO MAKE THE OBSTRUCTION OF STREAMS AND DITCHES A STRICT LIABILITY OFFENSE, TO INCREASE THE PENALTIES FOR THE OBSTRUCTION OF STREAMS AND DITCHES, AND TO REDEFINE THE AUTHORITY OF FOREST LAW ENFORCEMENT OFFICERS TO ENFORCE THE PROHIBITION AGAINST OBSTRUCTION OF STREAMS AND DITCHES. (CHAPTER 152)

S.B. 414, AN ACT TO AMEND THE REVISED UNIFORM LIMITED PARTNERSHIP ACT. (CHAPTER 153)

H.B. 326, AN ACT TO AUTHORIZE THE TOWN OF ROWLAND TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX. (CHAPTER 154)

H.B. 340, AN ACT TO AUTHORIZE CURRITUCK COUNTY TO LEVY AN ADDITIONAL ONE PERCENT OCCUPANCY TAX AND TO USE THE PROCEEDS OF THE ADDITIONAL TAX FOR THE CURRITUCK WILDLIFE MUSEUM. (CHAPTER 155)

H.B. 344, AN ACT TO AMEND THE GENERAL STATUTES CONCERNING WATER POLLUTION PERMITS. (CHAPTER 156)

H.B. 462, AN ACT TO AUTHORIZE DEPARTMENT OF REVENUE EMPLOYEES TO SERVE CIVIL SUMMONSES AND OTHER CIVIL PAPERS. (CHAPTER 157)

H.B. 592, AN ACT TO AUTHORIZE THE CITY OF WASHINGTON TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX. (CHAPTER 158)

H.B. 603, AN ACT TO PROVIDE FOR THE REGISTRATION OF LAND IN GRANVILLE COUNTY AND TO REQUIRE ANY PERSON HUNTING OR POSSESSING A FIREARM OR BOW AND ARROW THAT IS READILY AVAILABLE FOR USE TO SECURE AN ENTRY PERMIT BEFORE ENTERING OR REMAINING ON REGISTERED LAND OR REMAINING ON ABUTTING PORTIONS OF HIGHWAY. (CHAPTER 159)

H.B. 745, AN ACT TO PROVIDE A GRACE PERIOD FOR MILITARY PERSONNEL TO LIST AND PAY PROPERTY TAXES AFTER DEPLOYMENT OR ACTIVE DUTY. (CHAPTER 160)

H.B. 747, AN ACT TO AUTHORIZE THE TOWNS OF MATTHEWS, MINT HILL, AND PINEVILLE AND THE CITY OF CHARLOTTE, IN MECKLENBURG COUNTY TO REGULATE IN CERTAIN EXTRATERRITORIAL AREAS. (CHAPTER 161)

H.B. 775, AN ACT TO AUTHORIZE ALLEGHANY COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX. (CHAPTER 162)

H.B. 808, AN ACT TO AUTHORIZE ASHE COUNTY TO LEVY A ROOM OCCUPANCY TAX. (CHAPTER 163)

H.B. 848, AN ACT TO CHANGE THE REQUIREMENTS CONCERNING THE INDEXING AND FILING OF CERTAIN UCC STATEMENTS. (CHAPTER 164)

H.B. 926, AN ACT TO PROVIDE THAT THE PROMOTER AND TICKET SALES AGENT MAY AGREE TO CHARGE A REASONABLE SERVICE FEE THAT EXCEEDS THREE DOLLARS. (CHAPTER 165)

H.B. 951, AN ACT TO ALLOW A LANDLORD'S WRITTEN, SIGNED STATEMENT OF PAST-DUE RENT, MADE UPON THE TENANT'S REQUEST, TO SERVE AS NOTIFICATION OF EVICTION FOR EMERGENCY ASSISTANCE FROM THE COUNTY DEPARTMENT OF SOCIAL SERVICES. (CHAPTER 166)

S.J.R. 153, A JOINT RESOLUTION COMMEMORATING THE LIFE OF GURNEY P. HOOD UPON THE SIXTIETH ANNIVERSARY OF THE NORTH CAROLINA BANKING COMMISSION. (RESOLUTION 16)

CALENDAR

Action is taken on the following:

Committee Substitute No. 2 for **H.B. 225**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DARE COUNTY TO INCREASE ITS OCCUPANCY TAX, LEVY A RESTAURANT TAX, AND CREATE A TOURISM BOARD TO PROMOTE TOURISM IN DARE COUNTY.

On motion of Representative Thompson, the House concurs in the material Senate amendment on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Diamont, Dickson, Esposito, Ethridge, Flaherty, Fletcher, Foster, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hasty, Hege, Hensley, Holt, Howard, Huffman, Jack Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 86.

Voting in the negative: Representative Decker.

Excused absences: Representatives Abernethy, Fitch, Hackney, Hardaway, Rhodes, and Warner - 6.

H.B. 117, A BILL TO BE ENTITLED AN ACT TO INCREASE FINES IN G.S. 113-135 FOR VIOLATION OF RULES ADOPTED BY THE MARINE FISHERIES COMMISSION OR THE WILDLIFE RESOURCES COMMISSION, AS APPROPRIATE.

On motion of Representative Chapin, the House concurs in the Senate amendment, by electronic vote (88-0), and the bill is ordered enrolled.

Committee Substitute for H.B. 726, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONDITIONS ON USE OF PROCEEDS OF A GOLDSBORO OCCUPANCY TAX AND TO RAISE THE FORCE ACCOUNT CONSTRUCTION LIMIT FOR CERTAIN STORM DRAINAGE PROJECTS IN GOLDSBORO.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hasty, Hege, Hensley, Holmes, Holt, Howard, Huffman, Jack Hunt, R. Hunter, Hurley, Isenhower, Jarrell, Jones, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Wainwright, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 93.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Fitch, Hackney, Hardaway, Rhodes, and Warner - 6.

S.B. 495, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CONTRACTS FOR A SIXTY-FOUR-BED ADDITION TO THE PRESENT JAIL FACILITY OF WILSON COUNTY FROM THE REQUIREMENTS OF THE PUBLIC BIDDING LAWS.

On motion of Representative Lewis, consideration of the bill is postponed until June 4.

S.B. 491, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE CLAY COUNTY BOARD OF EDUCATION FROM PARTISAN TO NONPARTISAN.

On motion of Representative Kimsey, consideration of the bill is postponed until June 4.

S.B. 555, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATION OF TOWN OF NORTH TOPSAIL BEACH OR ONSLOW COUNTY ORDINANCES.

On motion of Representative Smith, consideration of the bill is postponed until June 4.

Committee Substitute for **S.B. 545, A BILL TO BE ENTITLED AN ACT RELATING TO SUBDIVISION REGULATION IN PENDER COUNTY.**

On motion of Representative Redwine, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is order sent to the Senate for concurrence in House amendment.

S.B. 557, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF DANBURY, passes its second reading, by electronic vote (93-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 592, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE JACKSON COUNTY BOARD OF EDUCATION FROM PARTISAN TO NONPARTISAN, AND CHANGE THE TIME OF TAKING OFFICE FROM DECEMBER TO JULY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Greenwood for the Committee on Pensions and Retirement:

H.B. 98, A BILL TO BE ENTITLED AN ACT TO PERMIT A MEMBER OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO RETIRE WITH UNREDUCED BENEFITS AFTER COMPLETING TWENTY-EIGHT YEARS WITH THE SYSTEM, without prejudice, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of Representative Mercer, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Appropriations.

H.B. 1273, A BILL TO BE ENTITLED AN ACT TO ALLOW EMPLOYEES OF THE GENERAL ASSEMBLY TO RECEIVE RETIREMENT CREDIT FOR FULL-TIME TEMPORARY SERVICE WITH OTHER STATE AGENCIES, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

S.B. 611, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NASH COUNTY ABC BOARD AND THE CITY OF EDEN ABC BOARD TO MAKE CREDIT CARD SALES IF AUTHORIZED BY THE ABC COMMISSION.

Representative Ligon offers Amendment No. 1.

Responding to inquiry by Representative Redwine, the Speaker rules that under G. S. Sec. 21, the amendment is out of order. Representative Ligon withdraws Amendment No. 1.

Representative McGee calls the previous question on the passage of the bill and the call is sustained.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Church for the Permanent Subcommittee on Highways of the Standing Committee on Transportation, with approval of

standing committee chairman for report to be made directly to the floor of the House:

S.B. 112, A BILL TO BE ENTITLED AN ACT TO MAKE ANNUAL SPECIAL FUEL REPORTS DUE THE SAME TIME AS ANNUAL MOTOR CARRIER REPORTS AND TO MAKE CONFORMING CHANGES TO THE MOTOR CARRIER LAWS TO FACILITATE ANNUAL MOTOR CARRIER REPORTS, with a favorable report.

S.B. 447, A BILL TO BE ENTITLED AN ACT TO PERMIT VEHICLES TRANSPORTING HEATING FUEL TO EXCEED LIMITS ON LIGHT-TRAFFIC ROADS, with a favorable report.

By Representative Jones for the Permanent Subcommittee on Children, Youth and Families of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 294, A BILL TO BE ENTITLED AN ACT ADOPTING THE ADULT SUBSTANCE ABUSE TREATMENT PLAN, with a favorable report.

Committee Substitute for **S.B. 356, A BILL TO BE ENTITLED AN ACT TO MODIFY PENALTIES FOR VIOLATIONS OF THE COMMUNICABLE DISEASE LAW,** with a favorable report.

S.B. 357, A BILL TO BE ENTITLED AN ACT TO REVISE THE ADVISORY FUNCTIONS OF THE NUTRITION PROGRAM IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, with a favorable report.

By Representative Jones for the Permanent Subcommittee on Children, Youth and Families:

S.B. 358, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO IMPOSE A MONETARY PENALTY FOR VIOLATION OF RULES GOVERNING NUTRITION STANDARDS, reported to the Standing Committee on Human Resources, with a favorable recommendation and recommend that the bill be re-referred to the Committee on Finance.

By Representative Jones for the Permanent Committee on Children, Youth and Families of the Standing Committee on Human Resources, with approval of the standing committee chairman for report to be made directly to the floor of the House:

S.B. 476, A BILL TO BE ENTITLED AN ACT TO REGULATE THE TEMPERATURE OF HOME WATER HEATERS TO HELP REDUCE THE RISK OF INJURIES AND DEATH, with a favorable report.

SUBCOMMITTEE REFERRAL

Representatives Hackney and Miller, Chairmen for the Standing Committee on Finance, refer:

H.B. 1225, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES AND CITIES TO LEVY LOCAL ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAXES, to the Permanent Subcommittee on State Revenue.

CALENDAR (continued)

Committee Substitute No. 2 for **S.B. 623**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO LAWS APPLICABLE IN ORANGE AND CHATHAM COUNTIES.

On motion of Representative Barnes, consideration of the bill is postponed until June 3.

Committee Substitute No. 2 for **H.B. 301**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CEMETERY ACT AND RELATED STATUTES.

Representative Michaux requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by the following vote and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hasty, Hege, Hensley, Holmes, Holt, Howard, Huffman, Jack Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Loflin, Luebke, Lutz, McAllister, McGee, Mavretic, Mercer, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Redwine, Robinson, Russell, Stewart, Tallent, Thompson, Wainwright, Wicker, Wilson, Withrow, Wood, and Woodard - 87.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Fitch, Hackney, Hardaway, Rhodes, and Warner - 6.

Excused vote: Representative Michaux.

CONFERENCE REPORT

Representative R. Hunter sends forth the following Conference Report and moves its adoption.

H.B. 8

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on **H.B. 8**, A BILL

TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE HIGHWAY TRUST FUND AND TO MAKE TECHNICAL CHANGES TO THE LAWS AFFECTED BY THE HIGHWAY TRUST FUND, submit the following report:

- (1) The House concurs in Senate Amendment # 1.
- (2) The House concurs in Senate Amendment # 2.
- (3) The Senate recedes from Senate Amendment # 3.

The conferees recommend that the Senate and the House of Representatives adopt this report.

This the 29th day of May, 1991.

*Conferees for the
Senate*

S/William D. Goldston, Jr.
S/Roy Cooper
S/George Daniel
S/Paul S. Smith

*Conferees for the
House of Representatives*

S/Robert C. Hunter
S/C. Robert Brawley
S/Dan Lilley

The Conference Report is adopted, by electronic vote (90-0), and the Senate is so notified by Special Message.

CALENDAR (continued)

H.B. 64, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE AND SIMPLIFY THE SPECIAL LICENSE PLATE LAWS.

On motion of Representative Miller, Committee Amendment No. 1 is adopted.

On motion of Representative Huffman, Committee Amendment No. 2 is adopted.

Representative Bowman offers Amendment No. 3.

On motion of Representative Stamey, seconded by Representative Church, Amendment No. 3 is tabled by electronic vote (69-28).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Sam Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, Mavretic, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rogers,

Russell, Smith, Stamey, Stewart, Thompson, Wainwright, Wilmoth, Wilson, Withrow, Wood, and Woodard - 96.

Voting in the negative: Representatives Albertson, Bowman, Jeralds, and Kahl - 4.

Excused absences: Representatives Abernethy, Fitch, Hackney, Hardaway, Rhodes, and Warner - 6.

House Committee Substitute for **S.B. 822**, A BILL TO BE ENTITLED AN ACT TO APPOINT A STUDENT MEMBER TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND TO ESTABLISH A NEW CATEGORY OF MEMBERS EMERITUS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

Representative Ramsey offers Amendment No. 1 which is adopted by electronic vote (102-1).

The bill, as amended, passes its third reading, by electronic vote (98-1), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Kennedy for the Committee on Judiciary I:

Committee Substitute for **S.B. 415**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PAROLE COMMISSION TO PAROLE CERTAIN MISDEMEANANTS BUT CONTINUE TO SUPERVISE THEM FOR A PERIOD TO BE DETERMINED BY THE COMMISSION, TO GIVE PAROLE VIOLATORS CREDIT FOR TIME SPENT SUCCESSFULLY IN THE COMMUNITY ON PAROLE, AND TO MAKE COMMUNITY SERVICE PAROLE FLEXIBLE BY ALLOWING THE PAROLE COMMISSION TO DETERMINE THE AMOUNT OF SERVICE AND TIME PERIOD FOR SERVICE, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for May 31. The Senate committee substitute bill is placed on the Unfavorable Calendar.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Kennedy for the Permanent Subcommittee on Labor Relations and Employment:

H.B. 555, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCRIMINATION IN EMPLOYMENT BECAUSE OF RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, AGE, OR DISABILITY, reported to the Standing Committee on Economic Expansion, with a favorable recommendation as to proposed committee substitute

bill, unfavorable as to original bill and recommendation that the proposed committee substitute bill be re-referred to the Committee on Appropriations.

S.B. 724, A BILL TO BE ENTITLED AN ACT AMENDING THE UNEMPLOYMENT INSURANCE LAW TO ADD THE DEFINITION OF "EXTENDED BASE PERIOD", reported to the Standing Committee on Economic Expansion, with a favorable recommendation.

CALENDAR (continued)

S.B. 291, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF ELECTRONIC MEANS FOR THE DOCKETING OF CIVIL JUDGMENTS AND THE MAKING OF ENTRIES IN JUDGMENT DOCKETS AND JUDGMENT AND DOCKET BOOKS, passes its second reading, by electronic vote (85-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 419, A BILL TO BE ENTITLED AN ACT TO ALLOW FILING OF COURT PAPERS BY TELEFACSIMILE TRANSMISSION PURSUANT TO RULES ESTABLISHED BY THE SUPREME COURT AND THE ADMINISTRATIVE OFFICER OF THE COURTS, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 660, A BILL TO BE ENTITLED AN ACT TO REPEAL THE BOAT HULL ANTI-COPYING ACT, passes its second reading by electronic vote (87-1).

On motion of Representative Ethridge, further consideration of the bill is postponed until May 30.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Barnes for the Committee on Education:

H.B. 1230, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT UNIVERSITY OF NORTH CAROLINA TUITION RATES BE TIED TO THE CONSUMER PRICE INDEX, TO REQUIRE THAT TUITION REACH THE AVERAGE OF THE SOUTHERN REGIONAL EDUCATION BOARD'S COMPARABLE FIFTEEN INSTITUTIONS' TUITION BY 1993, AND TO APPROPRIATE FUNDS, without prejudice and recommendation that the bill be re-referred to the Committee on Appropriations.

S.B. 717, A BILL TO BE ENTITLED AN ACT TO TO SUPPORT THE ESSENTIAL ACCESS COMMUNITY HOSPITAL (EACH) PROGRAM, without prejudice and recommendation that the bill be re-referred to the Committee on Human Resources.

S.B. 766, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF JUSTICE MAY PROVIDE A CRIMINAL RECORD CHECK TO THE EMPLOYER OF A SCHOOL EMPLOYEE OR POTENTIAL EMPLOYEE WITH THE CONSENT OF THE EMPLOYEE OR APPLICANT, without prejudice and recommendation that the bill be re-referred to the Committee on Judiciary II.

CALENDAR (continued)

S.B. 741, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REVOCATION OF UNRECORDED DURABLE POWERS OF ATTORNEY AND TO PROVIDE FOR PROOF OF EFFECTIVENESS OF A DURABLE POWER OF ATTORNEY BY AFFIDAVIT OF ATTORNEY-IN-FACT, passes its second reading, by electronic vote (86-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 686**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO CLARIFY THE CONFLICT OF INTEREST LAW RELATING TO BOARDS OF DIRECTORS OF HOSPITAL, MEDICAL, AND DENTAL SERVICE CORPORATIONS, passes its second reading, by electronic vote (83-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

S.J.R. 899, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, is read the first time and referred to the Committee on Public Utilities.

CALENDAR (continued)

S.B. 780, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAW RESTRICTING THE EXERCISE OF POWER FOR A FIDUCIARY'S BENEFIT, passes its second reading, by electronic vote (85-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 754, A BILL TO BE ENTITLED AN ACT TO REGULATE SUNDAY SALES AND CONSUMPTION OF ALCOHOLIC BEVERAGES.

Representative Colton calls the previous question on the passage of the bill. A division having been called, the call is sustained by electronic vote (53-42).

The bill fails to pass its second reading by electronic vote (36-65).

On motion of Representative Jack Hunt, seconded by Representative McAllister, the House adjourns at 4:05 p.m. to reconvene May 30 at 1:30 p.m.

SEVENTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Thursday, May 30, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of May 29 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Rhodes and Tallent for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Dawkins for the Committee on Judiciary II:

S.B. 518, A BILL TO BE ENTITLED AN ACT TO DEFINE AND MAKE CRIMINAL INTERFERENCE WITH ANIMAL RESEARCH, with a favorable report.

S.B. 679, A BILL TO BE ENTITLED AN ACT TO INCLUDE GEOLOGISTS AND OCCUPATIONAL THERAPISTS WITHIN THE DEFINITION OF PROFESSIONAL SERVICE IN THE PROFESSIONAL CORPORATION ACT, with a favorable report.

By Representative R. Hunter for the Committee on Judiciary III:

H.B. 179, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LICENSES AND REGISTRATIONS ISSUED TO LAW ENFORCEMENT AGENCIES FOR UNDERCOVER WORK SHALL BE CONFIDENTIAL AND RECORDS SHALL NOT BE PUBLIC RECORDS, with an unfavorable report.

H.B. 189, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ISSUANCE OF FICTITIOUS DRIVERS LICENSES AND REGISTRATION PLATES AND TO CREATE A CONFIDENTIAL REGISTRATION FILE, with an unfavorable report.

H.B. 261, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROCEDURES EMPLOYED BY THE DEPARTMENT OF TRANSPORTATION IN CONDEMNING PROPERTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

S.B. 47, A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN RADIO EMERGENCY ASSOCIATED CITIZENS TEAMS (REACT) VEHICLES TO ACTIVATE AMBER LIGHTS WHILE OPERATING ON THE HIGHWAYS, with an unfavorable report.

S.B. 645, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE LAW RELATING TO THE CREATION AND PERFECTION OF SECURITY INTERESTS IN RENTS AND PROFITS, with a favorable report, as amended.

Committee Substitute for **S.B. 791**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM OF MEDIATED SETTLEMENT CONFERENCES IN SUPERIOR COURT ACTIONS, with a favorable report.

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 46, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT USERS OF MOTOR VEHICLES WEIGHING TEN THOUSAND POUNDS OR LESS ARE NOT REQUIRED TO OBTAIN A SPECIAL FUELS TAX LICENSE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for June 3. The original bill is placed on the Unfavorable Calendar.

H.B. 357, A BILL TO BE ENTITLED AN ACT TO SPECIFY THE POWERS OF THE BOARD OF MEDICAL EXAMINERS REGARDING REAL PROPERTY, with a favorable report.

By Representative Michaux for the Committee on Courts, Justice, Constitutional Amendments and Referenda:

H.B. 1197, A BILL TO BE ENTITLED AN ACT TO DIVIDE DISTRICT COURT DISTRICT 3 INTO DISTRICTS 3A AND 3B CONSISTENT WITH THE BOUNDARIES ESTABLISHED FOR SUPERIOR COURT AND PROSECUTORIAL DISTRICTS 3A AND 3B, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

S.B. 680, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AGE LIMITATIONS FOR SERVICE AS A JUSTICE OR JUDGE OF THE APPELLATE DIVISION OF THE GENERAL COURT OF JUSTICE, with a favorable report.

By Representative Judy Hunt for the Committee on Public Utilities:

H.B. 694, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE GREENVILLE UTILITIES COMMISSION OF THE CITY OF GREENVILLE, with an indefinite postponement report.

S.J.R. 899, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT MADE BY THE

GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, with a favorable report.

By Representative Kennedy for the Committee on Judiciary I:

S.B. 624, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICABILITY OF THE WINERY SPECIAL SHOW PERMIT TO BE RENAMED THE WINERY SPECIAL EVENT PERMIT, with a favorable report.

SUBCOMMITTEES REFERRALS

Representative DeVane, Chairman for the Standing Committee on Environment, refers:

S.B. 359, A BILL TO BE ENTITLED AN ACT TO TRANSFER AUTHORITY TO SET FEES FOR SCREENING TESTS FOR ASBESTOSIS OR SILICOSIS TO THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, to the Permanent Subcommittee on Hazardous Waste.

S.B. 451, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE INVESTIGATION AND ENFORCEMENT OF CRIMES AGAINST THE ENVIRONMENT, TO DECLARE UNLAWFUL DISCHARGES TO BE CRIMES AND TO ESTABLISH A THREE-YEAR STATUTE OF LIMITATION FOR THE COLLECTION OF CERTAIN ENVIRONMENTAL CIVIL PENALTIES, to the Permanent Subcommittee on Hazardous Waste.

S.B. 386, A BILL TO BE ENTITLED AN ACT TO AMEND THOSE PORTIONS OF THE GENERAL STATUTES THAT LIMIT THE ENVIRONMENTAL MANAGEMENT COMMISSION TO THE ADOPTION OF ENVIRONMENTAL RULES REGARDING WATER QUALITY AND AIR QUALITY THAT ARE NO MORE RESTRICTIVE THAN FEDERAL ENVIRONMENTAL REGULATIONS TO PROVIDE THAT AN ASSESSMENT OF THE IMPACT OF SUCH RULES BE PREPARED BEFORE SUCH RULES ARE ADOPTED, to the Permanent Subcommittee on Water, Air and Soil.

S.B. 802, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, to the Permanent Subcommittee on Water, Air and Soil.

Representative Mavretic, Chairman for the Standing Committee on State Government, refers:

S.B. 240, A BILL TO BE ENTITLED AN ACT TO ESTABLISH CONTINUING EDUCATION REQUIREMENTS FOR COSMETOLOGY TEACHERS AND TO REQUIRE ADEQUATE VENTILATION IN SHOPS AND SCHOOLS, to the Permanent Subcommittee on State Boards and Commissions.

S.B. 350, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STATE LIBRARY SHALL ADMINISTER STATE

PUBLICATION GUIDELINES, to the Permanent Subcommittee on State Boards and Commissions.

S.B. 385, A BILL TO BE ENTITLED AN ACT TO PROTECT THE SECURITY OF OCCUPATIONAL LICENSING EXAMINATIONS, to the Permanent Subcommittee on State Boards and Commissions.

S.B. 413, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATUTORY DESCRIPTION OF THE STATE FLAG, to the Permanent Subcommittee on Military, Veterans and Indian Affairs.

S.B. 427, A BILL TO BE ENTITLED AN ACT TO PROVIDE A GRACE PERIOD FOR MILITARY PERSONNEL TO RENEW OCCUPATIONAL LICENSES EXPIRING DURING DEPLOYMENT OR ACTIVE DUTY, AND TO DISCOUNT FEES, to the Permanent Subcommittee on Military, Veterans and Indian Affairs.

S.B. 462, A BILL TO BE ENTITLED AN ACT TO ADD AN INDIAN MEMBER FROM THE MEHERRIN TRIBE TO THE COMMISSION ON INDIAN AFFAIRS AND TO MAKE CERTAIN TECHNICAL CHANGES, to the Permanent Subcommittee on Military, Veterans and Indian Affairs.

S.B. 659, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO STATUTES GOVERNING NATIONAL GUARD AWARDS, to the Permanent Subcommittee on Military, Veterans and Indian Affairs.

S.B. 213, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN LAND IN HAMMOCKS BEACH STATE PARK FROM THE STATE NATURE AND HISTORIC PRESERVE AND THE STATE PARKS SYSTEM TO ALLOW THE EXCHANGE OF PROPERTY FOR BOUNDARY MANAGEMENT, to the Permanent Subcommittee on State Parks, Facilities and Property.

Representative Hardaway, Chairman for the Standing Committee on Commerce, refers:

S.B. 34, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE USE OF THE RULE OF 78s AS IT PERTAINS TO INSTALLMENT LOANS SECURED BY REAL PROPERTY OR MOBILE HOMES, to the Permanent Subcommittee on Financial Institutions.

S.B. 41, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE SAVINGS INSTITUTIONS LAW, to the Permanent Subcommittee on Financial Institutions.

S.B. 42, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE BANKING LAWS, to the Permanent Subcommittee on Financial Institutions.

S.B. 69, A BILL TO BE ENTITLED AN ACT TO REGULATE THE TRANSMISSION OF MONEY AND THE SALE OF CHECKS, to the Permanent Subcommittee on Financial Institutions.

S.B. 70, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE FOREIGN BANKING OFFICES IN NORTH CAROLINA, to the Permanent Subcommittee on Financial Institutions.

S.B. 91, A BILL TO BE ENTITLED AN ACT TO CREATE A SAVINGS BANK CHARTER IN NORTH CAROLINA, to the Permanent Subcommittee on Financial Institutions.

S.B. 198, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PROCESSING FEE FOR BAD CHECKS, to the Permanent Subcommittee on Financial Institutions

S.B. 570, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES TO VACATE AND CLOSE CERTAIN DWELLINGS FOUND TO BE IN VIOLATION OF THE MINIMUM HOUSING CODE, to the Permanent Subcommittee on Housing.

S.B. 39, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NO SAFE DRIVER INCENTIVE PLAN POINTS SHALL BE ASSESSED FOR THE FIRST ACCIDENT WITHIN THREE YEARS IF THERE IS PROPERTY DAMAGE ONLY AND NO MOVING VIOLATION INVOLVED, to the Permanent Subcommittee on Insurance.

S.B. 227, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM BENEFITS WHICH THE INSURANCE COMMISSIONER MAY AUTHORIZE TO BE PAID BY CERTAIN FRATERNAL BENEFIT SOCIETIES, to the Permanent Subcommittee on Insurance.

S.B. 237, A BILL TO BE ENTITLED AN ACT TO REQUIRE EMPLOYERS TO PROVIDE MEDICAL, HOSPITAL, AND DENTAL INSURANCE COVERAGE INFORMATION IN IV-D SUPPORT CASES, to the Permanent Subcommittee on Insurance.

S.B. 249, A BILL TO BE ENTITLED AN ACT TO REMOVE THE LIMIT ON THE PAYMENT FOR EMERGENCY ROAD SERVICE PROVIDED BY MOTOR CLUBS IN NORTH CAROLINA, to the Permanent Subcommittee on Insurance.

S.B. 307, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NOTICE OF CANCELLATION OF MOTOR VEHICLE LIABILITY INSURANCE IS NOT REQUIRED IF A NEW POLICY IS ISSUED AT THE SAME TIME THE OLD POLICY IS TERMINATED OR CANCELLED, to the Permanent Subcommittee on Insurance.

S.B. 333, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO AND CORRECTIONS IN THE INSURANCE LAWS, to the Permanent Subcommittee on Insurance.

S.B. 652, A BILL TO BE ENTITLED AN ACT TO AMEND THE "CLEAN RISK" DEFINITION IN THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY, to the Permanent Subcommittee on Insurance.

S.B. 656, A BILL TO BE ENTITLED AN ACT TO REQUIRE AUDITED FINANCIAL STATEMENTS FROM APPLICANTS FOR NEW MOTOR CLUB LICENSES AND TO ALLOW THE COMMISSIONER OF INSURANCE TO REQUIRE AUDITED FINANCIAL STATEMENTS WITH RENEWAL APPLICATIONS, to the Permanent Subcommittee on Insurance.

S.B. 688, A BILL TO BE ENTITLED AN ACT TO PROVIDE REDUCED INSURANCE RATES FOR REDUCED COVERAGES, to the Permanent Subcommittee on Insurance.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Lineberry for the Permanent Subcommittee on Small Business of the Standing Committee on Economic Expansion, with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 745, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW PERTAINING TO THE REMOVAL OF DISQUALIFICATION FOR UNEMPLOYMENT INSURANCE BENEFITS, with a favorable report.

SPECIAL MESSAGE SENT TO SENATE

The Speaker orders a Special Message sent to the Senate with the information that pursuant to motion, bills received by the House of Representatives not in compliance with House Rule 31.1(d) will be read and referred to the Committee on Rules, Appointments and Calendar of the House.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
May 29, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on **H.B. 8, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE HIGHWAY TRUST FUND AND TO MAKE TECHNICAL CHANGES TO THE LAWS AFFECTED BY THE HIGHWAY TRUST FUND.**

Pursuant to your message that your Honorable Body adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 564, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF HIGHLANDS, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 620, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MAINTENANCE OF EFFORT PROVISION FOR THE PUBLIC SCHOOLS OF ROBESON COUNTY, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 685, A BILL TO BE ENTITLED AN ACT TO PROVIDE NOTICE TO EACH SECURED PARTY OR OTHER PERSON CLAIMING AN INTEREST IN A MOTOR VEHICLE, WHEN THE HOLDER OF A LIEN ASSERTS HIS LIEN AND PROPOSES SALE OF THE MOTOR VEHICLE TO SATISFY THE LIEN, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 697**, A BILL TO BE ENTITLED AN ACT TO ALLOW AN ADDITIONAL 180-DAY PERIOD FOR DEPLOYED ARMED FORCES PERSONNEL AND SUPPORT PERSONNEL TO FILE STATE TAX RETURNS AND TO CONFORM THE STATE INCOME TAX ABATEMENT PROVISIONS CONCERNING MILITARY PERSONNEL TO FEDERAL LAW, is read the first time and referred to the Committee on Finance.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 291, AN ACT TO AUTHORIZE THE USE OF ELECTRONIC MEANS FOR THE DOCKETING OF CIVIL JUDGMENTS AND THE MAKING OF ENTRIES IN JUDGMENT DOCKETS AND JUDGMENT AND DOCKET BOOKS. (CHAPTER 167)

S.B. 419, AN ACT TO ALLOW FILING OF COURT PAPERS BY TELEFACSIMILE TRANSMISSION PURSUANT TO RULES ESTABLISHED BY THE SUPREME COURT AND THE ADMINISTRATIVE OFFICER OF THE COURTS. (CHAPTER 168)

S.B. 557, AN ACT TO AMEND THE CHARTER OF THE TOWN OF DANBURY. (CHAPTER 169)

S.B. 592, AN ACT TO CHANGE THE MANNER OF ELECTION OF THE JACKSON COUNTY BOARD OF EDUCATION FROM PARTISAN TO NONPARTISAN, AND CHANGE THE TIME OF TAKING OFFICE FROM DECEMBER TO JULY. (CHAPTER 170)

S.B. 611, AN ACT TO ALLOW THE NASH COUNTY ABC BOARD AND THE CITY OF EDEN ABC BOARD TO MAKE CREDIT CARD SALES IF AUTHORIZED BY THE ABC COMMISSION. (CHAPTER 171)

S.B. 686, AN ACT TO MAKE TECHNICAL CHANGES TO CLARIFY THE CONFLICT OF INTEREST LAW RELATING TO BOARDS OF DIRECTORS OF HOSPITAL, MEDICAL, AND DENTAL SERVICE CORPORATIONS (CHAPTER 172)

S.B. 741, AN ACT TO PROVIDE FOR THE REVOCATION OF UNRECORDED DURABLE POWERS OF ATTORNEY AND TO PROVIDE FOR PROOF OF EFFECTIVENESS OF A DURABLE

POWER OF ATTORNEY BY AFFIDAVIT OF ATTORNEY-IN-FACT. (CHAPTER 173)

S.B. 780, AN ACT TO REWRITE THE LAW RESTRICTING THE EXERCISE OF POWER FOR A FIDUCIARY'S BENEFIT. (CHAPTER 174)

H.B. 58, AN ACT TO DESIGNATE DECEMBER SEVENTH AS PEARL HARBOR REMEMBRANCE DAY. (CHAPTER 175)

H.B. 117, AN ACT TO INCREASE FINES IN G.S. 113-135 FOR VIOLATION OF RULES ADOPTED BY THE MARINE FISHERIES COMMISSION OR THE WILDLIFE RESOURCES COMMISSION, AS APPROPRIATE. (CHAPTER 176)

H.B. 225, AN ACT TO AUTHORIZE DARE COUNTY TO INCREASE ITS OCCUPANCY TAX, LEVY A RESTAURANT TAX, AND CREATE A TOURISM BOARD TO PROMOTE TOURISM IN DARE COUNTY. (CHAPTER 177)

H.B. 478, AN ACT TO CLARIFY THE TYPE OF DEVICE COVERED BY THE AMUSEMENT DEVICE SAFETY ACT. (CHAPTER 178)

H.B. 582, AN ACT TO CLARIFY THAT SPIN-OFFS OF PROFESSIONAL CORPORATIONS ARE ALLOWED ONLY IF CARRIED OUT IN ACCORDANCE WITH FEDERAL LAW AS IT MAY BE AMENDED. (CHAPTER 179)

H.B. 1146, AN ACT TO INCREASE THE EXAMINATION FEE FOR LANDSCAPE CONTRACTOR LICENSE APPLICANTS. (CHAPTER 180)

CALENDAR

Action is taken on the following:

H.B. 291, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO LEVY A MOTOR VEHICLE TAX NOT TO EXCEED TWENTY-FIVE DOLLARS.

On motion of Representative Grimmer, the House concurs in material Senate Amendment No. 1 on its second roll call reading by the following vote.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Barnes, Barnhill, Beall, Beard, Black, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Foster, Fussell, Gardner, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Holt, Howard, Huffman, Jack Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Morgan,

Oldham, Ramsey, Rogers, Russell, Smith, Stewart, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 89.

Voting in the negative: Representatives Balmer and Kimsey - 2.

Excused absences: Representatives Miller, Rhodes, and Tallent - 3.

On motion of Representative Grimmer, the House concurs in Senate Amendment No. 2 on its second roll call reading by the following vote.

Those voting in the affirmative are: Representatives Albertson, Anderson, Barnes, Barnhill, Beall, Beard, Black, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Fussell, Gardner, Gottovi, Grady, Gray, Green, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holt, Howard, Huffman, Sam Hunt, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Morgan, Nesbitt, Oldham, Pope, Ramsey, Robinson, Rogers, Russell, Smith, Stewart, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 90.

Voting in the negative: Representatives Balmer, Kimsey, and Ligon - 3.

Excused absences: Representatives Miller, Rhodes, and Tallent - 3.

On motion of Representative Grimmer, the bill is placed on the Calendar for June 3 for concurrence in Senate amendment No. 1 on its third roll call reading.

H.B. 483, A BILL TO BE ENTITLED AN ACT TO MAKE IMPROVEMENTS IN THE FINANCIAL REGULATION OF CONTINUING CARE FACILITIES.

On motion of Representative Beard, the House concurs in the Senate amendment, by electronic vote (99-0), and the bill is ordered enrolled.

SUSPENSION OF RULE 20(c)

On motion of the Speaker, House Rule 20(c) is suspended in order that the electronic voting time may be ten seconds instead of fifteen seconds.

CALENDAR (continued)

S.B. 260, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF TOBACCOVILLE, SUBJECT TO A REFERENDUM, TO AMEND THE CHARTER OF THE CITY OF KING, AND TO AUTHORIZE ENTRY INTO AND RECORDATION OF AN AGREEMENT.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Beall, Beard, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Sam Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLawhorn, Mavretic, Mercer, Michaux, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 97.

Voting in the negative: None.

Excused absences: Representatives Miller, Rhodes, and Tallent - 3.

S.B. 537, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DISTRIBUTION OF THE PROFITS FROM THE CITY OF STATESVILLE ABC SYSTEM.

On motion of Representative Brawley, consideration of the bill is postponed until June 6.

Committee Substitute for S.B. 538, A BILL TO BE ENTITLED AN ACT CONCERNING THE JOHNSTON COUNTY BOARD OF EDUCATION.

On motion of Representative Creech, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

Committee Substitute No. 2 for H.B. 301, A BILL TO BE ENTITLED AN ACT TO AMEND THE CEMETERY ACT AND RELATED STATUTES.

Representative Michaux requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnhill, Beall, Beard, Black, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Dickson, Dockham, Esposito, Ethridge, Flaherty, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Green,

Greenwood, Hackney, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Sam Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLawhorn, Mercer, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 94.

Voting in the negative: None.

Excused absences: Representatives Miller, Rhodes, and Tallent - 3.

Excused vote: Representative Michaux.

H.B. 64, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE AND SIMPLIFY THE SPECIAL LICENSE PLATE LAWS.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Anderson, Balmer, Barbee, Barnhill, Beall, Beard, Black, Bowie, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Gamble, Gardner, Gottovi, Grady, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Sam Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 96.

Voting in the negative: Representatives Albertson, Bowman, and Ligon - 3.

Excused absences: Representatives Miller, Rhodes, and Tallent - 3.

S.B. 660, A BILL TO BE ENTITLED AN ACT TO REPEAL THE BOAT HULL ANTI-COPYING ACT, passes its third reading, by electronic vote (95-0), and is ordered enrolled.

Committee Substitute for **S.B. 84, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES PREPARE A WATER RESOURCES DEVELOPMENT PROJECTS PLAN AND TO REQUIRE THE DIRECTOR OF THE BUDGET TO REVIEW THE PLAN IN MAKING RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR FUNDING OF WATER RESOURCES DEVELOPMENT PROJECTS,** passes its second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

House Committee Substitute for **S.B. 690**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ENFORCEMENT OF A LIEN ON A MOTOR VEHICLE IN CONNECTION WITH REPAIRS, WHEN THE LIENOR DOES NOT HAVE POSSESSION OF THE MOTOR VEHICLE, passes its second reading by electronic vote (102-0).

Representative Wicker objects to the third reading. The bill remains on the Calendar.

S.B. 312, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TEACHERS MAY PARTICIPATE IN THE PUBLIC EMPLOYEES' COMPENSATION PLAN.

On motion of Representative Ramsey, the bill is withdrawn from the Calendar and re-referred to the Committee on Pensions and Retirement.

RE-REFERRAL

On motion of Representative Jeralds, **S.B. 165**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF AGING, TO ADMINISTER A HOME AND COMMUNITY CARE BLOCK GRANT FOR OLDER ADULTS, is withdrawn from the Permanent Subcommittee on Health and Mental Health of the Standing Committee on Human Resources and re-referred to the Permanent Subcommittee on Aging of the Standing Committee on Human Resources.

On motion of Representative Jack Hunt, seconded by Representative McLawhorn, the House adjourns at 2:31 p.m. to reconvene May 31 at 10:15 a.m.

SEVENTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Friday, May 31, 1991

The House meets at 10:15 a.m. pursuant to adjournment and is called to order by the Speaker Pro Tempore, Representative Colton.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of May 30 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (61-0).

Leaves of absence are granted Representatives Brawley, Brubaker, Buchanan, Isenhower, and Rhodes for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

H.J.R. 1291, A JOINT RESOLUTION URGING THE RENAMING OF THE MCLEOD CENTER RESIDENTIAL TREATMENT CENTER AS THE ROBERT S. SWAIN RESIDENTIAL TREATMENT CENTER, IN HONOR OF SENATOR ROBERT S. SWAIN, with a favorable report as to committee substitute resolution, which changes the title, unfavorable as to original resolution.

The committee substitute resolution is placed on the Calendar for June 4. The original resolution is placed on the Unfavorable Calendar.

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 1178, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CASWELL BEACH TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for June 4. The original bill is placed on the Unfavorable Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 123**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TRANSFER OF PLUMBING AND HEATING LICENSE NUMBERS, is read the first time and referred to the Committee on Economic Expansion.

Committee Substitute for **S.B. 549**, A BILL TO BE ENTITLED AN ACT AMENDING ORANGE COUNTY'S AUTHORITY RELATING TO IMPACT FEES, is read the first time and referred to the Committee on Finance.

Committee Substitute for **S.B. 590**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF HENDERSONVILLE RELATING TO ASSESSMENTS, is read the first time and referred to the Committee on Local and Regional Government II.

S.J.R. 876, A JOINT RESOLUTION CREATING THE GENERAL ASSEMBLY'S CONFERENCE ON ACCESS TO HEALTH CARE AND ESTABLISHING A STATEWIDE CONFERENCE STEERING COMMITTEE FOR THE CONFERENCE, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **H.B. 309**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO CHAPTER 84 OF THE GENERAL STATUTES RELATING TO OUT-OF-STATE

ATTORNEYS, PREPAID LEGAL SERVICES, DEPOSITS OF THE STATE BAR, BOARD OF LAW EXAMINERS RECORDS, AND ATTORNEY DISCIPLINE AND DISBARMENT, is returned for concurrence in Senate amendment and placed on the Calendar for June 3.

Senate Committee Substitute for H.B. 816, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE IN DAVIDSON COUNTY FOR SECOND DEGREE TRESPASS AND TO CREATE A NEW OFFENSE OF THIRD DEGREE TRESPASS, is returned for concurrence in Senate committee substitute, which changes the title, and referred to the Committee on Local and Regional Government I.

S.B. 531, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE EASTERN BAND OF CHEROKEE INDIANS SHALL BE ELIGIBLE TO: (1) BE A MEMBER OF A REGIONAL SOLID WASTE MANAGEMENT AUTHORITY, AND (2) APPLY FOR FINANCING A PROJECT WITH A LOAN FROM THE NORTH CAROLINA SOLID WASTE MANAGEMENT CAPITAL PROJECTS FINANCING AUTHORITY, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

CALENDAR

Action is taken on the following:

S.B. 260, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF TOBACCOVILLE, SUBJECT TO A REFERENDUM, TO AMEND THE CHARTER OF THE CITY OF KING, AND TO AUTHORIZE ENTRY INTO AND RECORDATION OF AN AGREEMENT.

On motion of Representative Gray, consideration of the bill is postponed until June 5.

House Committee Substitute for S.B. 690, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ENFORCEMENT OF A LIEN ON A MOTOR VEHICLE IN CONNECTION WITH REPAIRS, WHEN THE LIENOR DOES NOT HAVE POSSESSION OF THE MOTOR VEHICLE.

On motion of Representative Wicker, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

S.B. 293, A BILL TO BE ENTITLED AN ACT TO ALLOW AREA AUTHORITIES TO PROVIDE SERVICES UNDER CONTRACT TO CERTAIN ENTITIES.

On motion of Representative J. W. Crawford, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (77-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading, by electronic vote (73-0), and is ordered sent to the Senate for concurrence in House amendment.

S.B. 326, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE AUTHORITY OF THE DEPARTMENT OF HUMAN RESOURCES TO MAINTAIN A REGISTRY OF NURSE AIDES AND TO INCLUDE FINDINGS OF ABUSE, NEGLECT, AND MISAPPROPRIATION IN THE NURSE AIDE REGISTRY, passes its second reading, by electronic vote (75-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S.B. 151, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE NATURAL AND SCENIC RIVERS SYSTEM AND TO REQUIRE ZONING AND OTHER LAND-USE CONTROLS TO PROTECT DESIGNATED RIVERS.

Representative Ethridge calls the previous question on the passage of the bill and the call is sustained by electronic vote (73-17).

The bill passes its second reading by electronic vote (52-35).

Representative Anderson objects to the third reading. The bill remains on the Calendar.

SPEAKER BLUE PRESIDING.

Committee Substitute for S.B. 344, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE NORTH CAROLINA CLEAN WATER REVOLVING LOAN AND GRANT PROGRAM TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

RE-REFERRALS

On motion of Representative Diamont, **H.B. 31, A BILL TO BE ENTITLED AN ACT TO PERMIT INJURED FIREMEN TO RECEIVE DISABILITY PAYMENTS UNDER THE NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AFTER ONE YEAR'S SERVICE**, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Pensions and Retirement.

On motion of Representative Diamont, **H.B. 744, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL BOARDS OF EDUCATION TO ESTABLISH SICK LEAVE BANKS FOR PUBLIC SCHOOL EMPLOYEES**, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Pensions and Retirement.

On motion of Representative Diamont, **H.B. 943, A BILL TO BE ENTITLED AN ACT TO ALLOW STATE EMPLOYEES RETIREMENT SERVICE CREDIT FOR ACCUMULATED VACATION IN EXCESS OF THIRTY DAYS**, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Pensions and Retirement.

CALENDAR (continued)

S.B. 131, A BILL TO BE ENTITLED AN ACT TO ALLOW THE FILING OF AN AFFIDAVIT BY THE SECRETARY OF TRANSPORTATION OR BY AN OFFICER OF THE RAILROAD TO STATE AN INTENTION TO PRESERVE A RAILROAD EASEMENT FOR FUTURE TRANSPORTATION PURPOSES AND NEGATE THE PRESUMPTION OF ABANDONMENT.

On motion of Representative Stamey, the bill is withdrawn from the Calendar and re-referred to the Committee on Transportation.

Committee Substitute for **S.B. 218**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO CANCEL THE REGISTRATION AND TITLE OF CERTAIN VEHICLES AND DELETING AN OBSOLETE REQUIREMENT CONCERNING INFORMATION GIVEN IN AN APPLICATION FOR A CERTIFICATE OF TITLE, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 746**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE USE OF MOTORIZED WHEELCHAIRS OR SIMILAR VEHICLES NOT EXCEEDING 1000 POUNDS GROSS WEIGHT FOR PEDESTRIAN PURPOSES BY PERSONS WITH MOBILITY IMPAIRMENTS, passes its second reading by electronic vote (84-0).

On motion of Representative Jack Hunt, further consideration of the bill is postponed until June 3.

S.B. 112, A BILL TO BE ENTITLED AN ACT TO MAKE ANNUAL SPECIAL FUEL REPORTS DUE THE SAME TIME AS ANNUAL MOTOR CARRIER REPORTS AND TO MAKE CONFORMING CHANGES TO THE MOTOR CARRIER LAWS TO FACILITATE ANNUAL MOTOR CARRIER REPORTS, passes its second reading, by electronic vote (82-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 447, A BILL TO BE ENTITLED AN ACT TO PERMIT VEHICLES TRANSPORTING HEATING FUEL TO EXCEED LIMITS ON LIGHT-TRAFFIC ROADS.

Representatives Hightower and Jordan request that they be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading by electronic vote (75-3).

Representative Nye objects to the third reading. The bill remains on the Calendar.

S.B. 294, A BILL TO BE ENTITLED AN ACT ADOPTING THE ADULT SUBSTANCE ABUSE TREATMENT PLAN.

On motion of Representative Jones, consideration of the bill is postponed until June 3.

Committee Substitute for **S.B. 356**, A BILL TO BE ENTITLED AN ACT TO MODIFY PENALTIES FOR VIOLATIONS OF THE COMMUNICABLE DISEASE LAW, passes its second reading, by electronic vote (77-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 357, A BILL TO BE ENTITLED AN ACT TO REVISE THE ADVISORY FUNCTIONS OF THE NUTRITION PROGRAM IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, passes its second reading, by electronic vote (79-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 476, A BILL TO BE ENTITLED AN ACT TO REGULATE THE TEMPERATURE OF HOME WATER HEATERS TO HELP REDUCE THE RISK OF INJURIES AND DEATH, passes its second reading, by electronic vote (82-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

House Committee Substitute for **S.B. 415**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PAROLE COMMISSION TO PAROLE CERTAIN MISDEMEANANTS BUT CONTINUE TO SUPERVISE THEM FOR A PERIOD TO BE DETERMINED BY THE COMMISSION, TO GIVE PAROLE VIOLATORS CREDIT FOR TIME SPENT SUCCESSFULLY IN THE COMMUNITY ON PAROLE, TO MAKE COMMUNITY SERVICE PAROLE FLEXIBLE BY ALLOWING THE PAROLE COMMISSION TO DETERMINE THE AMOUNT OF SERVICE AND TIME PERIOD FOR SERVICE, AND TO EXTEND THE PRISON POPULATION STABILIZATION ACT, passes its second reading, by electronic vote (85-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

On motion of Representative Jack Hunt, seconded by Representative Oldham, the House adjourns at 11:40 a.m. to reconvene Monday, June 3, 1991 at 8:00 p.m.

SEVENTY-SIXTH DAY

HOUSE OF REPRESENTATIVES

Monday, June 3, 1991

The House meets at 8:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of May 31 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (82-0).

Leaves of absence are granted Representatives Decker, DeVane, Dockham, Gist, Miller, Morgan, Rhodes, Warner, and Withrow for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Dawkins for the Committee on Judiciary II:

S.B. 267, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE EDUCATIONAL REQUIREMENTS FOR CERTIFIED PUBLIC ACCOUNTANTS, with a favorable report.

By Representative Kennedy for the Committee on Judiciary I:

S.B. 399, A BILL TO BE ENTITLED AN ACT TO REDUCE FROM SIX TO THREE MONTHS THE TIME FOR PRESENTATION OF CLAIMS AGAINST A DECEDENT'S ESTATE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Committee Substitute for **S.B. 764, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ACTIONS FOR NEGLIGENT OR DEFICIENT SURVEYING OR PLATTING AGAINST REGISTERED LAND SURVEYORS BE COMMENCED WITHIN THREE YEARS AND IN NO EVENT MORE THAN TEN YEARS FROM THE ACT OR OMISSION GIVING RISE TO THE ACTION**, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for June 5. The Senate committee substitute bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representative Lineberry:

H.J.R. 1297, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CLYDE ALLISON SHREVE, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Appointments and Calendar.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 84, AN ACT TO REQUIRE THAT THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES PREPARE A WATER RESOURCES DEVELOPMENT PROJECTS PLAN AND TO REQUIRE THE DIRECTOR OF THE BUDGET TO REVIEW THE PLAN IN MAKING RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR FUNDING OF WATER RESOURCES DEVELOPMENT PROJECTS. (CHAPTER 181)

S.B. 112, AN ACT TO MAKE ANNUAL SPECIAL FUEL REPORTS DUE THE SAME TIME AS ANNUAL MOTOR CARRIER REPORTS AND TO MAKE CONFORMING CHANGES TO THE MOTOR CARRIER LAWS TO FACILITATE ANNUAL MOTOR CARRIER REPORTS. (CHAPTER 182)

S.B. 218, AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO CANCEL THE REGISTRATION AND TITLE OF CERTAIN VEHICLES AND DELETING AN OBSOLETE REQUIREMENT CONCERNING INFORMATION GIVEN IN AN APPLICATION FOR A CERTIFICATE OF TITLE. (CHAPTER 183)

S.B. 280, AN ACT TO CREATE THE NORTH CAROLINA CENTER FOR APPLIED TEXTILE TECHNOLOGY. (CHAPTER 184)

S.B. 326, AN ACT TO ESTABLISH THE AUTHORITY OF THE DEPARTMENT OF HUMAN RESOURCES TO MAINTAIN A REGISTRY OF NURSE AIDES AND TO INCLUDE FINDINGS OF ABUSE, NEGLECT, AND MISAPPROPRIATION IN THE NURSE AIDE REGISTRY. (CHAPTER 185)

S.B. 344, AN ACT TO TRANSFER THE NORTH CAROLINA CLEAN WATER REVOLVING LOAN AND GRANT PROGRAM TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES. (CHAPTER 186)

S.B. 356, AN ACT TO MODIFY PENALTIES FOR VIOLATIONS OF THE COMMUNICABLE DISEASE LAW. (CHAPTER 187)

S.B. 357, AN ACT TO REVISE THE ADVISORY FUNCTIONS OF THE NUTRITION PROGRAM IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES. (CHAPTER 188)

S.B. 417, AN ACT TO PROVIDE A UNIFORM PROCEDURE FOR THE SITING OF ELECTRIC TRANSMISSION LINES AS RECOMMENDED BY THE UTILITIES COMMISSION. (CHAPTER 189)

S.B. 476, AN ACT TO REGULATE THE TEMPERATURE OF HOME WATER HEATERS TO HELP REDUCE THE RISK OF INJURIES AND DEATH. (CHAPTER 190)

S.B. 660, AN ACT TO REPEAL THE BOAT HULL ANTI-COPYING ACT. (CHAPTER 191)

S.B. 661, AN ACT TO ADD TO THE LIST OF FIDUCIARY POWERS THE POWERS TO DIVIDE ONE TRUST INTO SEVERAL TRUSTS AND TO CONSOLIDATE SIMILAR TRUSTS. (CHAPTER 192)

H.B. 8, AN ACT TO IMPROVE THE ADMINISTRATION OF THE HIGHWAY TRUST FUND AND TO MAKE TECHNICAL CHANGES TO THE LAWS AFFECTED BY THE HIGHWAY TRUST FUND. (CHAPTER 193)

H.B. 243, AN ACT TO PROVIDE THAT DAVIE COUNTY MAY PROHIBIT ISSUANCE OF A BUILDING PERMIT TO A DELINQUENT TAXPAYER. (CHAPTER 194)

H.B. 460, AN ACT TO MAKE AMENDMENTS TO THE STATUTES GOVERNING HEALTH MAINTENANCE ORGANIZATIONS. (CHAPTER 195)

H.B. 483, AN ACT TO MAKE IMPROVEMENTS IN THE FINANCIAL REGULATION OF CONTINUING CARE FACILITIES. (CHAPTER 196)

H.B. 634, AN ACT TO AUTHORIZE THE CITY OF OXFORD TO CONVEY CERTAIN PROPERTY FOR CONSTRUCTION OF A NEW FIRE DEPARTMENT BY LEASE-PURCHASE ARRANGEMENT. (CHAPTER 197)

H.B. 678, AN ACT TO AUTHORIZE THE CITY OF BURLINGTON TO SELL SURPLUS PROPERTY TO THE RALPH SCOTT GROUP HOMES, INCORPORATED, BY PRIVATE SALE. (CHAPTER 198)

H.B. 714, AN ACT TO PERMIT VOLUNTEER FIRE DEPARTMENTS AND RESCUE SQUADS TO PURCHASE MATERIALS AND SUPPLIES UNDER STATE CONTRACT. (CHAPTER 199)

H.B. 766, AN ACT TO EXEMPT FROM THE REQUIREMENTS OF THE PUBLIC BIDDING LAWS THE CONTRACTS FOR AN ADDITION TO THE PRESENT JAIL FACILITY OF WILSON COUNTY. (CHAPTER 200)

H.B. 774, AN ACT TO ALLOW THE BOARD OF TRUSTEES OF WATAUGA HOSPITAL, INC., TO ENTER INTO SINGLE PRIME CONTRACTOR PUBLIC CONTRACTS. (CHAPTER 201)

CALENDAR

Action is taken on the following:

H.B. 291, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO LEVY A MOTOR VEHICLE TAX NOT TO EXCEED TWENTY-FIVE DOLLARS.

On motion of Representative Grimmer, the House concurs in material Senate Amendment No. 1, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Barbee, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Dial, Dickson, Easterling, Esposito, Ethridge, Foster, Fussell, Gottovi, Grady, Gray,

Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Ligon, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Michaux, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Wicker, Wilmoth, Wilson, and Woodard - 85.

Voting in the negative: Representatives Balmer, Kimsey, and Loflin - 3.

Excused absences: Representatives Decker, DeVane, Dockham, Gist, Miller, Morgan, Rhodes, Warner, Withrow, and Wood - 10.

Committee Substitute for **H.B. 309**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO CHAPTER 84 OF THE GENERAL STATUTES RELATING TO OUT-OF-STATE ATTORNEYS, PREPAID LEGAL SERVICES, DEPOSITS OF THE STATE BAR, BOARD OF LAW EXAMINERS RECORDS, AND ATTORNEY DISCIPLINE AND DISBARMENT.

On motion of Representative Dawkins, the House concurs in the Senate amendment, by electronic vote (92-0), and the bill is ordered enrolled.

Committee Substitute No. 2 for **S.B. 623**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO LAWS APPLICABLE IN ORANGE AND CHATHAM COUNTIES.

Representative Barnes offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading.

Representative Rhyne objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 46**, A BILL TO BE ENTITLED AN ACT TO REQUIRE SALES OF BOTH HIGHWAY AND NONHIGHWAY SPECIAL FUEL TO BE REPORTED, TO ELIMINATE THE REQUIREMENT THAT CERTAIN USERS OF SPECIAL FUEL FILE REPORTS SPECIFYING THEIR USE OF SPECIAL FUEL, TO CHANGE THE MAXIMUM BOND REQUIRED OF FUEL DISTRIBUTORS AND SUPPLIERS, AND TO CHANGE THE METHOD FOR DETERMINING THE AMOUNT OF A BOND PAYABLE BY CERTAIN FUEL IMPORTERS.

Representative Brawley offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham,

Dawkins, Diamont, Dickson, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLawhorn, Mercer, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Wicker, Wilmoth, Wilson, and Woodard - 99.

Voting in the negative: None.

Excused absences: Representatives Decker, DeVane, Dockham, Gist, Miller, Morgan, Rhodes, Warner, Withrow, and Wood - 10.

Committee Substitute for **S.B. 151**, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE NATURAL AND SCENIC RIVERS SYSTEM AND TO REQUIRE ZONING AND OTHER LAND-USE CONTROLS TO PROTECT DESIGNATED RIVERS.

Representative Gamble offers Amendment No. 1.

On motion of Representative Jack Hunt, the bill and pending amendment are withdrawn from the Calendar and re-referred to the Committee on Judiciary III.

Committee Substitute for **S.B. 746**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE USE OF MOTORIZED WHEELCHAIRS OR SIMILAR VEHICLES NOT EXCEEDING 1000 POUNDS GROSS WEIGHT FOR PEDESTRIAN PURPOSES BY PERSONS WITH MOBILITY IMPAIRMENTS, passes its third reading, by electronic vote (95-0), and is ordered enrolled.

S.B. 447, A BILL TO BE ENTITLED AN ACT TO PERMIT VEHICLES TRANSPORTING HEATING FUEL TO EXCEED LIMITS ON LIGHT-TRAFFIC ROADS.

Representatives Hightower and Jordan request that they be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its third reading, by electronic vote (90-0), and is ordered enrolled.

Committee Substitute for **S.B. 518**, A BILL TO BE ENTITLED AN ACT TO DEFINE AND MAKE CRIMINAL INTERFERENCE WITH ANIMAL RESEARCH, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 679**, A BILL TO BE ENTITLED AN ACT TO INCLUDE GEOLOGISTS AND OCCUPATIONAL THERAPISTS WITHIN THE DEFINITION OF PROFESSIONAL SERVICE IN THE PROFESSIONAL CORPORATION ACT, passes its

second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 645, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE LAW RELATING TO THE CREATION AND PERFECTION OF SECURITY INTERESTS IN RENTS AND PROFITS.

On motion of Representative R. Hunter, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (93-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

Committee Substitute for **S.B. 791, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM OF MEDIATED SETTLEMENT CONFERENCES IN SUPERIOR COURT ACTIONS,** passes its second reading, by electronic vote (95-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H.B. 357, A BILL TO BE ENTITLED AN ACT TO SPECIFY THE POWERS OF THE BOARD OF MEDICAL EXAMINERS REGARDING REAL PROPERTY, passes its second reading, by electronic vote (93-0), and there being no objection is read a third time.

On motion of Representative Kerr, the bill is temporarily displaced.

S.B. 680, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AGE LIMITATIONS FOR SERVICE AS A JUSTICE OR JUDGE OF THE APPELLATE DIVISION OF THE GENERAL COURT OF JUSTICE.

On motion of Representative Nesbitt, consideration of the bill is postponed until June 4.

RE-REFERRAL

On motion of Representative Diamont, **H.B. 1277, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE POLICY REGARDING WATER WITHDRAWALS AND TO PROVIDE REMEDIES FOR WATER WITHDRAWALS WHICH ARE CONTRARY TO PUBLIC POLICY,** is withdrawn from the Committee on Appropriations and re-referred to the Committee on Environment.

On motion of Representative Jack Hunt, seconded by Representative Russell, the House adjourns at 9:50 p.m. to reconvene June 4 at 3:00 p.m.

SEVENTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1991

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Willis Wilson, Reedy Creek Baptist Church, Weaverville, North Carolina.

Representative Hackney, for the Committee on Rules, Appointments and Calendar reports the Journal of June 3 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (84-0).

Leaves of absence are granted Representatives Gist, Justus, Luebke, Lutz, McAllister, Miller, Pope, and Rhodes for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Dawkins for the Committee on Judiciary II:

Committee Substitute for **S.B. 283**, A BILL TO BE ENTITLED AN ACT TO AMEND THE WEIGHTS AND MEASURES ACT, with a favorable report, as amended.

By Representative Lutz for the Committee on Local and Regional Government II:

S.B. 501, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DUPLIN COUNTY TO ACQUIRE CERTAIN PROPERTY FOR AN INDUSTRIAL SITE, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

S.B. 503, A BILL TO BE ENTITLED AN ACT TO PROVIDE PROCEDURES FOR RECALL FROM OFFICE ELECTED CITY, COUNTY, AND SCHOOL OFFICIALS IN CABARRUS COUNTY, THE CITY OF KANNAPOLIS, AND THE KANNAPOLIS CITY SCHOOL ADMINISTRATIVE UNIT, with a favorable report.

S.B. 628, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF ASHEBORO, with a favorable report.

S.B. 629, A BILL TO BE ENTITLED AN ACT TO EXEMPT UNION COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE CONSTRUCTION OF COUNTY DETENTION FACILITY, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for June 6. The original bill is placed on the Unfavorable Calendar.

By Representative James for the Committee on Agriculture:

H.B. 231, A BILL TO BE ENTITLED AN ACT TO BAND THE SALE OR USE OF PESTICIDES CONTAINING ARSENIC

COMPOUNDS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representatives Hackney and Miller for the Committee on Finance:

Committee Substitute for **H.B. 450**, A BILL TO BE ENTITLED AN ACT TO UPDATE AND CLARIFY THE TRADEMARK REGISTRATION ACT, with a favorable report.

Committee Substitute for **S.B. 190**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MOMMEYER IN NASH COUNTY, with a favorable report.

S.B. 214, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF CERTAIN PROPERTY BY THE TOWN OF HOLLY SPRINGS, with a favorable report.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Lineberry for the Permanent Subcommittee on Small Business of the Standing Committee on Economic Expansion, with approval of standing committee chairman for report to be made directly to the floor of the House:

Committee Substitute for **S.B. 286**, A BILL TO BE ENTITLED AN ACT TO SPECIFY CERTAIN DUTIES OF THE CHAIRMAN OF THE INDUSTRIAL COMMISSION, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for June 6. The Senate committee substitute bill is placed on the Unfavorable Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 356**, A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FROM THE PUBLIC RECORDS ACT FOR THE LINCOLN COUNTY GEOGRAPHICAL INFORMATION SYSTEM, is returned for concurrence in Senate committee substitute bill, which changes the title, and referred to the Committee on Local and Regional Government II.

Senate Committee Substitute for **H.B. 915**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A CODE OF CONDUCT FOR PRACTICING PSYCHOLOGISTS, is returned for concurrence in Senate committee substitute and referred to the Committee on Judiciary I.

H.B. 928, A BILL TO BE ENTITLED AN ACT TO ELIMINATE BOND IN ACTIONS WHERE THE STATE OR A COUNTY IS THE PLAINTIFF, is returned for concurrence in Senate amendment and referred to the Committee on Judiciary I.

S.B. 483, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 745 OF THE 1989 SESSION LAWS TO INCREASE THE AUTHORIZED PROJECT COST OF A WHOLLY SELF-LIQUIDATING RESEARCH FACILITY TO BE LEASED TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BY THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, is read the first time and referred to the Committee on Appropriations.

S.B. 636, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A HORSE OWNERS' ASSESSMENT, is read the first time and referred to the Committee on Agriculture.

Committee Substitute for **S.B. 811**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE AD VALOREM TAX EXEMPTIONS OR EXCLUSIONS RELATIVE TO PERSONAL AND REAL PROPERTY OWNED BY EDUCATIONAL INSTITUTIONS WHICH IS INCIDENTAL TO, REASONABLY RELATED TO, AND REASONABLY NECESSARY FOR EDUCATIONAL PURPOSES, is read the first time and referred to the Committee on Finance.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Thompson for the Permanent Subcommittee on Solid Waste of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 773, A BILL TO BE ENTITLED AN ACT TO PERMIT RECYCLABLE PLASTIC YOKES OR RING TYPE HOLDING DEVICES, with a favorable report.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 447, AN ACT TO PERMIT VEHICLES TRANSPORTING HEATING FUEL TO EXCEED LIMITS ON LIGHT-TRAFFIC ROADS. (CHAPTER 202)

S.B. 518, AN ACT TO DEFINE AND MAKE CRIMINAL INTERFERENCE WITH ANIMAL RESEARCH. (CHAPTER 203)

S.B. 545, AN ACT RELATING TO SUBDIVISION REGULATION IN PENDER COUNTY. (CHAPTER 204)

S.B. 679, AN ACT TO INCLUDE GEOLOGISTS AND OCCUPATIONAL THERAPISTS WITHIN THE DEFINITION OF PROFESSIONAL SERVICE IN THE PROFESSIONAL CORPORATION ACT. (CHAPTER 205)

S.B. 746, AN ACT TO PROVIDE FOR THE USE OF MOTORIZED WHEELCHAIRS OR SIMILAR VEHICLES NOT EXCEEDING 1000 POUNDS GROSS WEIGHT FOR PEDESTRIAN PURPOSES BY PERSONS WITH MOBILITY IMPAIRMENTS. (CHAPTER 206)

S.B. 791, AN ACT TO ESTABLISH A PILOT PROGRAM OF MEDIATED SETTLEMENT CONFERENCES IN SUPERIOR COURT ACTIONS. (CHAPTER 207)

H.B. 211, AN ACT TO ALLOW DEMOLITION OF DWELLINGS UNDER G.S. 160A-443 FOLLOWING AN ORDER OF THE PUBLIC OFFICER. (CHAPTER 208)

H.B. 291, AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE AND THE TOWN OF MATTHEWS TO LEVY A MOTOR VEHICLE TAX NOT TO EXCEED TWENTY-FIVE DOLLARS. (CHAPTER 209)

H.B. 309, AN ACT TO MAKE VARIOUS AMENDMENTS TO CHAPTER 84 OF THE GENERAL STATUTES RELATING TO OUT-OF-STATE ATTORNEYS, PREPAID LEGAL SERVICES, DEPOSITS OF THE STATE BAR, BOARD OF LAW EXAMINERS RECORDS, AND ATTORNEY DISCIPLINE AND DISBARMENT. (CHAPTER 210)

H.B. 653, AN ACT TO CREATE A TAX COMMISSION FOR RANDOLPH COUNTY. (CHAPTER 211)

H.B. 788, AN ACT TO PROVIDE FOR OPTIONS FOR CERTAIN BOND REQUIREMENTS OF VARIOUS LICENSEES OF THE DEPARTMENT OF INSURANCE. (CHAPTER 212)

H.B. 1047, AN ACT TO ELIMINATE DOUBLE TAXATION OF ALARM SYSTEMS INSTALLERS LICENSED BY THE ALARM SYSTEMS LICENSING BOARD. (CHAPTER 213)

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 1178**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CASWELL BEACH AND THE VILLAGE OF BALD HEAD ISLAND TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack

Hunt, Judy Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralsds, Jones, Jordan, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Privette, Ramsey, Redwine, Rhyne, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 95.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Gist, Justus, Luebke, Lutz, McAllister, Pope, and Rhodes - 7.

Committee Substitute No. 2 for **S.B. 623**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO LAWS APPLICABLE IN ORANGE AND CHATHAM COUNTIES.

The bill, as amended, passes its third reading, by electronic vote (98-0), and is ordered sent to the Senate for concurrence in House amendment.

S.B. 495, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CONTRACTS FOR A SIXTY-FOUR-BED ADDITION TO THE PRESENT JAIL FACILITY OF WILSON COUNTY FROM THE REQUIREMENTS OF THE PUBLIC BIDDING LAWS.

On motion of Representative Fitch, the bill is postponed indefinitely by electronic vote (94-1).

S.B. 491, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE CLAY COUNTY BOARD OF EDUCATION FROM PARTISAN TO NONPARTISAN.

Representative Kimsey offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

SUBCOMMITTEE REFERRALS

Representative DeVane, Chairman for the Standing Committee on Environment, refers:

H.B. 1277, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE POLICY REGARDING WATER WITHDRAWALS AND TO PROVIDE REMEDIES FOR WATER WITHDRAWALS WHICH ARE CONTRARY TO PUBLIC POLICY, to the Permanent Subcommittee on Water, Air and Soil.

S.B. 634, A BILL TO BE ENTITLED AN ACT TO REPEAL ACTS DIRECTING THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO BUILD A REGIONAL BEACH ACCESS FACILITY, to the Permanent Subcommittee on Water, Air and Soil.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Green for the Permanent Subcommittee on Aging of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 165, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF AGING, TO ADMINISTER A HOME AND COMMUNITY CARE BLOCK GRANT FOR OLDER ADULTS, with a favorable report.

By Representative Green for the Permanent Subcommittee on Aging:

S.B. 257, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HUMAN RESOURCES TO ISSUE PROVISIONAL LICENSES FOR DOMICILIARY HOMES AND TO ESTABLISH CERTAIN APPEALS TIME LIMITS, reported to the Standing Committee on Human Resources, with a favorable recommendation.

SUBCOMMITTEE REFERRAL

Representative Hasty, Chairman for the Standing Committee on Economic Expansion, refers:

S.B. 123, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TRANSFER OF PLUMBING AND HEATING LICENSE NUMBERS, to the Permanent Subcommittee on Small Business.

CALENDAR (continued)

S.B. 555, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATION OF TOWN OF NORTH TOPSAIL BEACH OR ONSLOW COUNTY ORDINANCES.

Representative Smith offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

Committee Substitute for **S.B. 612, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MERGER AND CONSOLIDATION OF THE SCHOOL ADMINISTRATIVE UNITS IN NASH COUNTY AND THE CITY OF ROCKY MOUNT,** is read the first time and referred to the Committee on Legislative and Local Redistricting.

On motion of the Chair, the House recesses at 3:42 p.m.

RECESS

The House meets at 8:00 p.m. pursuant to recess and is called to order by Speaker Blue.

CALENDAR (continued)

Committee Substitute for **H.B. 46**, A BILL TO BE ENTITLED AN ACT TO REQUIRE SALES OF BOTH HIGHWAY AND NONHIGHWAY SPECIAL FUEL TO BE REPORTED, TO ELIMINATE THE REQUIREMENT THAT CERTAIN USERS OF SPECIAL FUEL FILE REPORTS SPECIFYING THEIR USE OF SPECIAL FUEL, TO CHANGE THE MAXIMUM BOND REQUIRED OF FUEL DISTRIBUTORS AND SUPPLIERS, AND TO CHANGE THE METHOD FOR DETERMINING THE AMOUNT OF A BOND PAYABLE BY CERTAIN FUEL IMPORTERS.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Brawley, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gardner, Gist, Gottovi, Gray, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, Hurley, Isenhower, James, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Luebke, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Redwine, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 90.

Voting in the negative: None.

Excused absences: Representatives Dockham, Lutz, McAllister, and Rhodes - 4.

H.B. 357, A BILL TO BE ENTITLED AN ACT TO SPECIFY THE POWERS OF THE BOARD OF MEDICAL EXAMINERS REGARDING REAL PROPERTY, passes its third reading, by electronic vote (95-0), and is ordered sent to the Senate.

S.J.R. 899, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, passes its second reading, by electronic vote (95-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representatives Diamont and Nesbitt for the Committee on Appropriations:

H.B. 83, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, with a favorable report as to committee substitute bill with amendments, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is ordered engrossed and re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Hackney and Miller for the Committee on Finance:

Committee Substitute for **H.B. 551, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE REQUIREMENTS OF THE 1990 AMENDMENTS TO THE FEDERAL CLEAN AIR ACT**, with a favorable report, as amended.

Committee Substitute for **H.B. 904, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF MOTOR VEHICLES BY MOTOR VEHICLE DEALERS AT LOCATIONS OTHER THAN LICENSED ESTABLISHED PLACES OF BUSINESS**, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Committee Substitute Bill No. 2 is placed on the Calendar for June 6. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 1010, A BILL TO BE ENTITLED AN ACT TO LICENSE WHOLESALE DRUG DISTRIBUTORS**, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Committee Substitute Bill No. 2 is placed on the Calendar for June 6. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 1037, A BILL TO BE ENTITLED AN ACT TO REFORM THE SMALL EMPLOYER GROUP ACCIDENT AND HEALTH INSURANCE MARKETPLACE IN THE STATE OF NORTH CAROLINA**, with a favorable report, as amended.

On motion of Representative Hardaway, the bill is withdrawn from the Calendar for June 5 and placed on the Calendar for June 6.

H.B. 1236, A BILL TO BE ENTITLED AN ACT TO EXPAND THE CRITERIA FOR DESIGNATION AS A DISTRESSED COUNTY FOR INCOME TAX PURPOSES, with a favorable report as

to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for June 6. The original bill is placed on the Unfavorable Calendar.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Kennedy for the Permanent Subcommittee on Labor Relations and Employment of the Standing Committee on Economic Expansion, with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 769, A BILL TO BE ENTITLED AN ACT TO ASSURE THAT THE NORTH CAROLINA WORKERS' COMPENSATION ACT EXTENDS TO INJURIES OUTSIDE THE STATE FOR EMPLOYEES WHOSE PRINCIPAL PLACE OF EMPLOYMENT IS IN NORTH CAROLINA, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for June 6. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

S.B. 624, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICABILITY OF THE WINERY SPECIAL SHOW PERMIT TO BE RENAMED THE WINERY SPECIAL EVENT PERMIT.

On motion of Representative Kennedy, consideration of the bill is postponed until June 5.

S.B. 745, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW PERTAINING TO THE REMOVAL OF DISQUALIFICATION FOR UNEMPLOYMENT INSURANCE BENEFITS, passes its second reading, by electronic vote (88-3), and there being no objection is read a third time.

On motion of Representative Russell, further consideration of the bill is postponed until June 5.

S.B. 294, A BILL TO BE ENTITLED AN ACT ADOPTING THE ADULT SUBSTANCE ABUSE TREATMENT PLAN, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 662, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON THE ACT PERTAINING TO INVENTION DEVELOPMENT SERVICES.

On motion of Representative Diamont, consideration of the bill is postponed until June 5.

S.B. 680, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AGE LIMITATIONS FOR SERVICE AS A JUSTICE OR JUDGE OF THE APPELLATE DIVISION OF THE GENERAL COURT OF JUSTICE.

On motion of Representative Nesbitt, consideration of the bill is postponed until June 11.

Committee Substitute for **H.J.R. 1291**, A JOINT RESOLUTION HONORING THE MEMORY OF ROBERT S. SWAIN AND URGING THE RENAMING OF THE MCLEOD CENTER RESIDENTIAL TREATMENT CENTER AS THE ROBERT S. SWAIN RESIDENTIAL TREATMENT CENTER, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

S.B. 267, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE EDUCATIONAL REQUIREMENTS FOR CERTIFIED PUBLIC ACCOUNTANTS, passes its second reading, by electronic vote (92-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

SUSPENSION OF RULES TO PLACE ON CALENDAR

On motion of Representative Russell, the rules are suspended and **S.B. 745**, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW PERTAINING TO THE REMOVAL OF DISQUALIFICATION FOR UNEMPLOYMENT INSURANCE BENEFITS, is withdrawn from the Calendar for June 5 and placed on today's Calendar.

CALENDAR (continued)

S.B. 399, A BILL TO BE ENTITLED AN ACT TO REDUCE FROM SIX TO THREE MONTHS THE TIME FOR PRESENTATION OF CLAIMS AGAINST A DECEDENT'S ESTATE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative Kennedy, the bill is postponed until June 11.

S.B. 745, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW PERTAINING TO THE REMOVAL OF DISQUALIFICATION FOR UNEMPLOYMENT INSURANCE BENEFITS, passes its third reading, by electronic vote (94-2), and is ordered enrolled.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

H.B. 996, A BILL TO BE ENTITLED AN ACT TO COORDINATE THE EFFECTIVE DATE OF CHANGED STATE MEDICAID REIMBURSEMENT AMOUNTS WITH THE DATE FOR WHICH THE

CHANGE IS APPROVED BY FEDERAL ADMINISTRATION, is returned for concurrence in Senate amendment and placed on the Calendar for June 5.

SUSPENSION OF RULES TO PLACE ON CALENDAR

On motion of the Chair, the rules are suspended and Senate Committee Substitute for **H.B. 915**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A CODE OF CONDUCT FOR PRACTICING PSYCHOLOGISTS, is withdrawn from the Committee on Judiciary I and placed on the Calendar for June 5.

On motion of Representative Jack Hunt, seconded by Representative Smith, the House adjourns at 8:40 p.m. to reconvene June 5 at 3:00 p.m.

SEVENTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 5, 1991

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of June 4 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Rhodes and Tallent for today.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Kennedy for the Committee on Judiciary I:

S.B. 639, A BILL TO BE ENTITLED AN ACT TO MAKE IT CLEAR THAT A POWER OF SALE INCLUDED IN A LEASEHOLD MORTGAGE OR LEASEHOLD DEED OF TRUST IS ENFORCEABLE, with a favorable report.

House Committee Substitute for **S.B. 690**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ENFORCEMENT OF A LIEN ON A MOTOR VEHICLE IN CONNECTION WITH REPAIRS, WHEN THE LIENOR DOES NOT HAVE POSSESSION OF THE MOTOR VEHICLE, with a favorable report, as amended.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Barnhill for the Permanent Subcommittee on Health and Mental Health of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 516, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES' ADOPTION OF STANDARDS FOR SERVICE DELIVERY TO DEPARTMENT OF CORRECTION INMATES, with a favorable report.

RE-REFERRALS

On motion of Representative Jack Hunt, **S.B. 710, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO MENTAL HEALTH CLIENTS' RIGHTS TO PREVENT UNNECESSARY DUPLICATION OF RULES,** is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Human Resources.

On motion of Representative Jack Hunt, **S.B. 742, A BILL TO BE ENTITLED AN ACT TO AMEND THE REGULATION OF MEDICAL DEVICES BY THE STATE BOARD OF PHARMACY,** is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Human Resources.

On motion of Representative Jack Hunt, **S.B. 760, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING THE QUALIFICATIONS OF NURSING HOME ADMINISTRATORS,** is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Human Resources.

On motion of Representative Jack Hunt, **S.B. 410, A BILL TO BE ENTITLED AN ACT TO AMEND THE ENVIRONMENTAL POLICY ACT OF 1971 AND TO MAKE THE ACT PERMANENT,** is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Environment.

On motion of Representative Jack Hunt, **S.B. 339, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS SUBSTANTIVE AMENDMENTS TO THE INSURANCE LAWS AND OTHER LAWS RELATED TO THE DEPARTMENT OF INSURANCE,** is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Commerce.

On motion of Representative Jack Hunt, **S.B. 342, A BILL TO BE ENTITLED AN ACT TO AMEND AND IMPROVE THE INSURANCE LAWS ON THE MONITORING OF THE FINANCIAL CONDITION OF INSURANCE COMPANIES IN ACCORDANCE WITH THE FINANCIAL REGULATION STANDARDS AND INSURANCE DEPARTMENT ACCREDITATION PROGRAM OF THE**

NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Commerce.

On motion of Representative Jack Hunt, **S.B. 581**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Commerce.

On motion of Representative Jack Hunt, **S.B. 155**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATIVE RULE-MAKING PROCESS, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Judiciary II.

On motion of Representative James, **S.B. 455**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONTROL OF AQUATIC WEEDS, is withdrawn from the Permanent Subcommittee on Aquaculture and Marine Fisheries of the Standing Committee on Agriculture and re-referred to the Standing Committee on Environment.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **H.B. 659**, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING ON, FROM, OR ACROSS THE RIGHT-OF-WAY OF PUBLIC ROADS OR HIGHWAYS IN ONSLOW COUNTY AND TO CHANGE THE LAW REGARDING TRESPASSING ON POSTED LAND IN ONSLOW COUNTY, is returned for concurrence in two Senate amendments and placed on the Calendar for June 6.

Committee Substitute for **H.B. 689**, A BILL TO BE ENTITLED AN ACT TO REDISTRICT THE MADISON COUNTY BOARD OF EDUCATION, CHANGE THE MANNER OF ELECTION FROM PARTISAN TO NONPARTISAN, CHANGE THE TIME OF TAKING OFFICE FROM APRIL TO DECEMBER, AND PROVIDE FOR THE SEPARATE ELECTION OF THE CHAIRMAN, ALL SUBJECT TO A REFERENDUM, is returned for concurrence in Senate amendment and placed on the Calendar for June 6.

Senate Committee Substitute for **H.B. 782**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF MOORESVILLE TO EXERCISE EXTRATERRITORIAL LAND-USE REGULATION WITHIN ONE MILE OF ITS SATELLITE CORPORATE LIMITS, is returned for concurrence in Senate committee substitute, which changes the title, and referred to the Committee on Local and Regional Government II.

Committee Substitute for **S.B. 449**, A BILL TO BE ENTITLED AN ACT TO REQUIRE OPERATING PERMITS FOR COMMUNITY WATER SYSTEMS REGULATED UNDER THE NORTH CAROLINA DRINKING WATER ACT AND TO AUTHORIZE THE COLLECTION OF FEES FOR SUCH PERMITS, is read the first time and referred to the Committee on Environment.

Committee Substitute for **S.B. 580**, A BILL TO BE ENTITLED AN ACT AUTHORIZING DURHAM COUNTY TO INCREASE ITS ROOM OCCUPANCY TAX FROM THREE PERCENT TO FIVE PERCENT AND PROVIDING FOR THE USE OF THE PROCEEDS OF THE TAX, is read the first time and referred to the Committee on Finance.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representative Bowen:

H.B. 1298, A BILL TO BE ENTITLED AN ACT AFFECTING THE ELECTION OF THE SAMPSON COUNTY BOARD OF COMMISSIONERS, is referred to the Committee on Legislative and Local Redistricting.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 267, AN ACT TO ENHANCE THE EDUCATIONAL REQUIREMENTS FOR CERTIFIED PUBLIC ACCOUNTANTS. (CHAPTER 214)

S.B. 293, AN ACT TO ALLOW AREA AUTHORITIES TO PROVIDE SERVICES UNDER CONTRACT TO CERTAIN ENTITIES. (CHAPTER 215)

S.B. 294, AN ACT ADOPTING THE ADULT SUBSTANCE ABUSE TREATMENT PLAN. (CHAPTER 216)

S.B. 415, AN ACT TO AUTHORIZE THE PAROLE COMMISSION TO PAROLE CERTAIN MISDEMEANANTS BUT CONTINUE TO SUPERVISE THEM FOR A PERIOD TO BE DETERMINED BY THE COMMISSION, TO GIVE PAROLE VIOLATORS CREDIT FOR TIME SPENT SUCCESSFULLY IN THE COMMUNITY ON PAROLE, TO MAKE COMMUNITY SERVICE PAROLE FLEXIBLE BY ALLOWING THE PAROLE COMMISSION TO DETERMINE THE AMOUNT OF SERVICE AND TIME PERIOD FOR SERVICE, AND TO EXTEND THE PRISON POPULATION STABILIZATION ACT. (CHAPTER 217)

S.B. 538, AN ACT CONCERNING THE JOHNSTON COUNTY BOARD OF EDUCATION. (CHAPTER 218)

S.B. 745, AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW PERTAINING TO THE REMOVAL OF DISQUALIFICATION FOR UNEMPLOYMENT INSURANCE BENEFITS. (CHAPTER 219)

S.B. 822, AN ACT TO APPOINT A STUDENT MEMBER TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND TO ESTABLISH A NEW CATEGORY OF MEMBERS

EMERITUS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA. (CHAPTER 220)

H.B. 11, AN ACT TO APPLY THE TIRE TAX, USED TO PAY FOR THE DISPOSAL OF SCRAP TIRES, TO NEW TIRES FOR ROAD CONSTRUCTION EQUIPMENT AND OTHER NEW VEHICLE TIRES. (CHAPTER 221)

H.B. 75, AN ACT REQUIRING THAT THE NORTH CAROLINA MEDICAL CARE COMMISSION AND THE SOCIAL SERVICES COMMISSION DRAFT RULES CONTAINING STATE STANDARDS FOR SPECIAL CARE UNITS IN NURSING HOMES AND REST HOMES FOR ALZHEIMER'S AND RELATED DEMENTIA PATIENTS AND THAT THESE COMMISSIONS MAKE A REPORT TO THE STUDY COMMISSION ON AGING. (CHAPTER 222)

H.B. 82, AN ACT TO AMEND THE BEDDING SANITATION LAW. (CHAPTER 223)

H.B. 186, AN ACT TO PROVIDE THAT CERTAIN DESIGNATED STATE PUBLICATIONS BE PRINTED ON ALKALINE PAPER. (CHAPTER 224)

H.B. 218, AN ACT TO SIMPLIFY THE COMMUNICABLE DISEASE LAW. (CHAPTER 225)

H.B. 219, AN ACT TO REQUIRE A NEW PERMIT FOR RE-OPENED FOOD AND LODGING ESTABLISHMENTS. (CHAPTER 226)

H.B. 424, AN ACT TO AUTHORIZE A FEE FOR COMPANION ANIMAL CERTIFICATES OF EXAMINATION. (CHAPTER 227)

H.B. 445, AN ACT TO ALLOW DEPARTMENT OF REVENUE EMPLOYEES TO LEVY ON TAXPAYERS' PERSONAL PROPERTY TO COLLECT TAXES TO THE SAME EXTENT AS A LOCAL TAX COLLECTOR. (CHAPTER 228)

H.B. 635, AN ACT TO AUTHORIZE THE CITY OF RALEIGH TO LEVY A MOTOR VEHICLE TAX NOT TO EXCEED FIFTEEN DOLLARS. (CHAPTER 229)

H.B. 784, AN ACT TO AUTHORIZE HYDE COUNTY TO LEVY A ROOM OCCUPANCY TAX. (CHAPTER 230)

H.B. 806, AN ACT TO CLARIFY THAT THE FEE FOR A WEAPON PERMIT IN CATAWBA COUNTY IS FIVE DOLLARS. (CHAPTER 231)

S.J.R. 899, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION. (RESOLUTION 17)

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 915**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A CODE OF CONDUCT FOR PRACTICING PSYCHOLOGISTS.

On motion of Representative Barnes, the House concurs in the Senate committee substitute, by electronic vote (94-0), and the bill is ordered enrolled.

H.B. 996, A BILL TO BE ENTITLED AN ACT TO COORDINATE THE EFFECTIVE DATE OF CHANGED STATE MEDICAID REIMBURSEMENT AMOUNTS WITH THE DATE FOR WHICH THE CHANGE IS APPROVED BY FEDERAL ADMINISTRATION.

On motion of Representative Nye, the House does not concur in the Senate amendment, by electronic vote (90-5), and requests conferees.

The Speaker announces the appointment of the following conferees: Representatives Nye, Easterling, and Jerals and the Senate is so notified by Special Message.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Ramsey for the Committee on Public Employees:

H.B. 612, A BILL TO BE ENTITLED AN ACT TO CLARIFY ELIGIBILITY FOR SALARY CONTINUATION BENEFITS FOR CERTAIN STATE LAW ENFORCEMENT OFFICERS, without prejudice, and recommendation that the bill be re-referred to the Committee on Pensions and Retirement.

H.B. 1122, A BILL TO BE ENTITLED AN ACT TO PERMIT TEACHERS WHO WOULD OTHERWISE LOSE VACATION DAYS TO TAKE UP TO TWO DAYS WHILE STUDENTS ARE IN SCHOOL, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

CONFIRMATION OF STATE PERSONNEL APPOINTMENTS

Representative Ramsey sends forth the following report concerning confirmation of the Governor's appointments to the State Personnel Commission.

June 5, 1991

The Honorable Daniel T. Blue, Jr.
Speaker, N. C. House of Representatives
State Legislative Building
Raleigh, North Carolina 27601-1096

Dear Speaker Blue:

In compliance with the provisions of G.S. 126-2(c) that nominees to fill positions on the State Personnel Commission shall be subject to

confirmation by the General Assembly, Governor Martin has submitted for confirmation by the General Assembly the following names:

F. Douglas Biddy of Durham County for a term to begin July 1, 1991 and to expire June 30, 1997

Angela R. Massingill of Johnston County for a term to begin July 1, 1991 and to expire June 30, 1997

The House Public Employees Committee has considered the nominees and makes the following recommendation:

That the nominations of F. Douglas Biddy and Angela R. Massingill as members of the State Personnel Commission be confirmed.

Respectfully submitted.
S/Liston B. Ramsey, Chairman
Public Employees Committee

On motion of Representative Ramsey, the House confirms the appointment of F. Douglas Biddy to the State Personnel Commission for a term to begin July 1, 1991 and to expire June 30, 1997 by electronic vote (99-0).

On motion of Representative Ramsey, the House confirms the appointment of Angela R. Massingill to the State Personnel Commission for a term to begin July 1, 1991 and to expire June 30, 1997 by electronic vote (110-0).

The Senate is notified of the confirmation by Special Message.

CALENDAR (continued)

Committee Substitute for **S.B. 260**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF TOBACCOVILLE, SUBJECT TO A REFERENDUM, TO AMEND THE CHARTER OF THE CITY OF KING, AND TO AUTHORIZE ENTRY INTO AND RECORDATION OF AN AGREEMENT.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhyne,

Robinson, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 104.

Voting in the negative: None.

Excused absences: Representatives Rhodes and Tallent - 2.

Committee Substitute for H.B. 1178, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CASWELL BEACH AND THE VILLAGE OF BALD HEAD ISLAND TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Dawkins, DeVane, Dial, Dickson, Dockham, Easterling, Ethridge, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nye, Payne, Pope, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Thompson, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 97.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Rhodes and Tallent - 2.

Committee Substitute for S.B. 190, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MOMEYER IN NASH COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, N. J. Crawford, Creech, Culp, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hardaway, Hasty, Hege, Hensley, Hightower, Holt, Huffman, Jack Hunt, Sam Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 100.

Voting in the negative: None.

Excused absences: Representatives Rhodes and Tallent - 2.

S.B. 214, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF CERTAIN PROPERTY BY THE TOWN OF HOLLY SPRINGS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Grady, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holt, Howard, Huffman, Jack Hunt, Sam Hunt, R. Hunter, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhyne, Russell, Smith, Stewart, Thompson, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 104.

Voting in the negative: None.

Excused absences: Representatives Rhodes and Tallent - 2.

S.B. 503, A BILL TO BE ENTITLED AN ACT TO PROVIDE PROCEDURES FOR RECALL FROM OFFICE ELECTED CITY, COUNTY, AND SCHOOL OFFICIALS IN CABARRUS COUNTY, THE CITY OF KANNAPOLIS, AND THE KANNAPOLIS CITY SCHOOL ADMINISTRATIVE UNIT.

On motion of Representative Nye, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Gist for the Committee on Local and Regional Government I:

Senate Committee Substitute for **H.B. 598, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RECKLESS USE OF FIREARMS IN PASQUOTANK COUNTY**, with recommendation that the House concur.

Senate Committee Substitute for **H.B. 816, A BILL TO BE ENTITLED AN ACT TO CREATE A NEW OFFENSE OF THIRD DEGREE TRESPASS IN DAVIDSON COUNTY**, with recommendation that the House concur.

CALENDAR (continued)

S.B. 628, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF ASHEBORO, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **H.B. 450, A BILL TO BE ENTITLED AN ACT TO UPDATE AND CLARIFY THE TRADEMARK REGISTRATION ACT**, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hightower, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Redwine, Rhyne, Rogers, Russell, Smith, Stewart, Thompson, Wainwright, Wilmoth, Wilson, Withrow, Wood, and Woodard - 98.

Voting in the negative: None.

Excused absences: Representatives Lilley, Rhodes, and Tallent - 3.

On motion of Representative R. Hunter, further consideration of the bill is postponed until June 10.

Committee Substitute for **H.B. 551, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE REQUIREMENTS OF THE 1990 AMENDMENTS TO THE FEDERAL CLEAN AIR ACT**.

On motion of Representative DeVane, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holt, Howard, Jack Hunt, Judy Hunt, Sam Hunt, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl,

Kennedy, Kerr, Kimsey, Lewis, Ligon, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Michaux, Miller, Morgan, Nesbitt, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wainwright, Wilmoth, Wilson, Withrow, and Woodard - 102.

Voting in the negative: None.

Excused absences: Representatives Lilley, Rhodes, and Tallent - 3.

S.B. 662, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON THE ACT PERTAINING TO INVENTION DEVELOPMENT SERVICES, passes its second reading, by electronic vote (94-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 624, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICABILITY OF THE WINERY SPECIAL SHOW PERMIT TO BE RENAMED THE WINERY SPECIAL EVENT PERMIT.

Representative Kennedy calls the previous question on the passage of the bill and the call is sustained.

The bill passes its second reading by electronic vote (64-32).

Representative Hightower objects to the third reading. The bill remains on the Calendar.

Representative Hightower withdraws his objection to the third reading.

Representative Hightower offers Amendment No. 1 which is adopted by electronic vote (68-18).

The bill, as amended, passes its third reading, by electronic vote (60-31), and is ordered sent to the Senate for concurrence in House amendment.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representatives Hackney and Miller for the Committee on Finance:

Committee Substitute for **H.B. 83, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET AND EXPANSION BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND TO MAKE APPROPRIATIONS FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND TO MAKE APPROPRIATIONS FOR OTHER PURPOSES**, with a favorable report as to Committee Substitute Bill No. 2, as amended, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

On motion of Representative Hackney, Amendments Nos. 1, 2, 3, 4, 5, and 6 are read the first time.

On motion of Representative Hackney, the rules are suspended and Committee Substitute Bill No. 2 and amendments are placed on the Calendar for June 6 as Special Order of Business. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

CALENDAR (continued)

House Committee Substitute for **S.B. 764**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ACTIONS FOR NEGLIGENCE OR DEFICIENT SURVEYING OR PLATTING AGAINST REGISTERED LAND SURVEYORS BE COMMENCED WITHIN THREE YEARS AND IN NO EVENT MORE THAN TEN YEARS FROM THE ACT OR OMISSION GIVING RISE TO THE ACTION, AND TO AMEND THE LAW PROVIDING MAPPING REQUIREMENTS FOR PLATS AND SUBDIVISIONS, passes its second reading by electronic vote (87-0).

Representatives Payne and Michaux object to the third reading. The bill remains on the Calendar.

Committee Substitute for **S.B. 283**, A BILL TO BE ENTITLED AN ACT TO AMEND THE WEIGHTS AND MEASURES ACT.

On motion of Representative Dawkins, Committee Amendment No. 1 is adopted.

On motion of Representative Dawkins, further consideration of the bill is postponed until June 6.

Committee Substitute for **S.B. 773**, A BILL TO BE ENTITLED AN ACT TO PERMIT RECYCLABLE PLASTIC YOKES OR RING TYPE HOLDING DEVICES.

Representative Redwine calls the previous question on the passage of the bill and the call is sustained.

The bill passes its second reading, by electronic vote (69-21), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 165, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF AGING, TO ADMINISTER A HOME AND COMMUNITY CARE BLOCK GRANT FOR OLDER ADULTS, passes its second reading by electronic vote (87-2).

Representatives Fussell and Ethridge object to the third reading. The bill remains on the Calendar.

RE-REFERRAL

On motion of Representative Jack Hunt, **S.B. 771**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING

MENTAL HEALTH CLIENTS' RECORDS, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Human Resources.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representatives Hackney and Miller for the Committee on Finance:

Committee Substitute for **H.B. 881**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FEE-BASED PRACTICING PASTORAL COUNSELORS CERTIFICATION ACT, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Committee Substitute Bill No. 2 is placed on the Calendar for June 7. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 890, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NEWBORN SCREENING PROGRAM WITHIN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for June 7. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 908**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH REGULATORY FEES FOR ELECTRIC MEMBERSHIP CORPORATIONS AND TELEPHONE MEMBERSHIP CORPORATIONS TO DEFRAY THE COST TO THE NORTH CAROLINA RURAL ELECTRIFICATION AUTHORITY OF REGULATING MEMBERSHIP CORPORATIONS IN THE INTEREST OF THE PUBLIC, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Committee Substitute Bill No. 2 is placed on the Calendar for June 7. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

On motion of Representative Jack Hunt, seconded by Representative Wainwright, the House adjourns at 5:57 p.m. to reconvene June 6 at 12:00 noon.

SEVENTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Thursday, June 6, 1991

The House meets at 12:00 noon pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of June 5 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (80-0).

Leaves of absence are granted Representatives R. Hunter and Rhodes for today.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 204**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SOCIAL SERVICES COMMISSION TO ADOPT RULES PERTAINING TO THE EDUCATION REQUIREMENTS FOR DOMICILIARY HOMES, is returned for concurrence in Senate committee substitute and referred to the Committee on Judiciary II.

Senate Committee Substitute for **H.B. 355**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SUBPOENA POWER OF THE BOARD OF MEDICAL EXAMINERS, is returned for concurrence in Senate committee substitute and referred to the Committee on Judiciary III.

Committee Substitute for **H.B. 423**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MEANING OF "REPAIR" OF A SANITARY SEWAGE SYSTEM, is returned for concurrence in Senate amendment and placed on the Calendar for June 7.

H.B. 427, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ROLE OF THE ATTORNEY GENERAL'S OFFICE IN COMMITMENT HEARINGS, is returned for concurrence in Senate amendment and placed on the Calendar for June 7.

Committee Substitute for **H.B. 440**, A BILL TO BE ENTITLED AN ACT TO ALLOW REPRESENTATIVES DESIGNATED BY THE COUNTY DIRECTOR OF SOCIAL SERVICES TO ACT ON BEHALF OF THE COUNTY DIRECTOR OF SOCIAL SERVICES, is returned for concurrence in Senate amendment and placed on the Calendar for June 7.

H.B. 868, A BILL TO BE ENTITLED AN ACT TO PROVIDE A MEANS OF RECORDING A NOTICE DOCUMENT PRIOR TO A REAL ESTATE CLOSING WHICH WOULD FIX AT THAT TIME THE PRIORITY OF TITLE DOCUMENTS RECORDED LATER IN CONNECTION WITH THAT REAL ESTATE CLOSING, is returned for concurrence in two Senate amendments and placed on the Calendar for June 10.

Committee Substitute for **S.B. 141**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FAMILY PRESERVATION SERVICES, TO ESTABLISH THE ADVISORY COMMITTEE ON FAMILY-CENTERED SERVICES, AND TO APPROPRIATE FUNDS FOR THE ADVISORY COMMITTEE ON FAMILY-CENTERED SERVICES, is read the first time and referred to the Committee on Human Resources.

Committee Substitute for **S.B. 434**, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO WORKERS' COMPENSATION ACT AND TO INCREASE ASSESSMENTS BY THE INDUSTRIAL COMMISSION FOR THE SECOND INJURY FUND, is read the first time and referred to the Committee on Economic Expansion.

S.B. 809, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FISHERIES LICENSES BE ISSUED ON A FISCAL YEAR BASIS, INCREASE THE FEE FOR A LICENSE, AND PROVIDE THAT LICENSE AGENTS BE BONDED, is read the first time and referred to the Committee on Agriculture.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

Committee Substitute for **S.B. 550**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN SCHOOL DISTRICT BONDS AND TAXES, is read the first time and referred to the Committee on Finance.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 260, AN ACT TO INCORPORATE THE VILLAGE OF TOBACCOVILLE, SUBJECT TO A REFERENDUM, TO AMEND THE CHARTER OF THE CITY OF KING, AND TO AUTHORIZE ENTRY INTO AND RECORDATION OF AN AGREEMENT. (CHAPTER 232)

S.B. 628, AN ACT TO AMEND THE CHARTER OF THE CITY OF ASHEBORO. (CHAPTER 233)

S.B. 645, AN ACT TO MAKE CHANGES IN THE LAW RELATING TO THE CREATION AND PERFECTION OF SECURITY INTERESTS IN RENTS AND PROFITS. (CHAPTER 234)

S.B. 662, AN ACT TO REPEAL THE SUNSET ON THE ACT PERTAINING TO INVENTION DEVELOPMENT SERVICES. (CHAPTER 235)

S.B. 773, AN ACT TO PERMIT RECYCLABLE PLASTIC YOKES OR RING TYPE HOLDING DEVICES. (CHAPTER 236)

H.B. 428, AN ACT TO ENHANCE MENTAL HEALTH, MENTAL RETARDATION, AND SUBSTANCE ABUSE CARE IN LOCAL CONFINEMENT FACILITIES. (CHAPTER 237)

H.B. 854, AN ACT REGARDING THE CONTRACTS OF SUPERINTENDENTS OF LOCAL BOARDS OF EDUCATION. (CHAPTER 238)

H.B. 915, AN ACT TO PROVIDE FOR A CODE OF CONDUCT FOR PRACTICING PSYCHOLOGISTS. (CHAPTER 239)

H.B. 1046, AN ACT TO REQUIRE THE UTILITIES COMMISSION TO OVERSEE A STUDY OF THE FEASIBILITY OF LIMITING DURATION OF COIN-OPERATED AND COINLESS PUBLIC TELEPHONE CALLS. (CHAPTER 240)

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Thompson for the Permanent Subcommittee on Solid Waste of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 596, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF NAGS HEAD, KILL DEVIL HILLS, SOUTHERN SHORES, KITTY HAWK, AND MANTEO TO ENACT ORDINANCES WHICH PROHIBIT THE SALE OR DISTRIBUTION OF ANY POLYSTYRENE FOAM PRODUCT WHICH IS USED IN CONJUNCTION WITH FOOD FOR HUMAN CONSUMPTION, with a favorable report as to committee substitute bill, which changes the title, and changes the bill from local to public bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Appointments and Calendar.

The committee substitute bill is re-referred to the Committee on Rules, Appointments and Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1090, A BILL TO BE ENTITLED AN ACT TO REQUIRE ENVIRONMENTAL IMPACT STATEMENTS FOR SANITARY LANDFILLS THAT ARE PRIVATELY OPERATED, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Appointments and Calendar.

The committee substitute bill is re-referred to the Committee on Rules, Appointments and Calendar. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representative DeVane, Chairman for the Standing Committee on Environment, refers:

S.B. 410, A BILL TO BE ENTITLED AN ACT TO AMEND THE ENVIRONMENTAL POLICY ACT OF 1971 AND TO MAKE THE ACT PERMANENT, to the Permanent Subcommittee on Water, Air and Soil.

S.B. 449, A BILL TO BE ENTITLED AN ACT TO REQUIRE OPERATING PERMITS FOR COMMUNITY WATER SYSTEMS REGULATED UNDER THE NORTH CAROLINA DRINKING WATER ACT AND TO AUTHORIZE THE COLLECTION OF FEES FOR SUCH PERMITS, to the Permanent Subcommittee on Water, Air and Soil.

S.B. 455, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONTROL OF AQUATIC WEEDS, to the Permanent Subcommittee on Water, Air and Soil.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 659, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING ON, FROM, OR ACROSS THE RIGHT-OF-WAY OF PUBLIC ROADS OR HIGHWAYS IN ONSLOW COUNTY AND TO CHANGE THE LAW REGARDING TRESPASSING ON POSTED LAND IN ONSLOW COUNTY.**

On motion of Representative Ethridge, the House does not concur in the two Senate amendments and request conferees.

The Speaker announces the appointment of Representatives Grady, Ethridge, and Smith as conferees. The Senate is notified by Special Message.

Committee Substitute for **H.B. 689, A BILL TO BE ENTITLED AN ACT TO REDISTRICT THE MADISON COUNTY BOARD OF EDUCATION, CHANGE THE MANNER OF ELECTION FROM PARTISAN TO NONPARTISAN, CHANGE THE TIME OF TAKING OFFICE FROM APRIL TO DECEMBER, AND PROVIDE FOR THE SEPARATE ELECTION OF THE CHAIRMAN, ALL SUBJECT TO A REFERENDUM.**

On motion of Representative Ramsey, the House concurs in the Senate amendment, by electronic vote (95-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 598, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE RECKLESS USE OF FIREARMS IN PASQUOTANK COUNTY.**

On motion of Representatives James, the House concurs in the Senate committee substitute, by electronic vote (92-0), and the bill is ordered enrolled.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Barnes for the Committee on Education:

S.B. 798, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL SCHOOL BOARDS TO DEVELOP POLICIES REGARDING CORPORAL PUNISHMENT IN THEIR SCHOOLS, with a favorable report.

By Representatives Bowen, Fitch, and Sam Hunt for the Committee on Legislative and Local Redistricting:

H.B. 702, A BILL TO BE ENTITLED AN ACT CONCERNING REDISTRICTING FOR LOCAL ELECTIONS IN ROBESON COUNTY, with a favorable report.

Committee Substitute for **S.B. 486, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALEXANDER COUNTY BOARD OF EDUCATION TO REDISTRICT,** with a favorable report.

CALENDAR (continued)

Senate Committee Substitute for **H.B. 816, A BILL TO BE ENTITLED AN ACT TO CREATE A NEW OFFENSE OF THIRD DEGREE TRESPASS IN DAVIDSON COUNTY.**

On motion of Representative Hege, the House concurs in the Senate committee substitute, by electronic vote (97-0), and the bill is ordered enrolled.

Committee Substitute for **S.B. 190, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MOMERY IN NASH COUNTY,** passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Greenwood, Hackney, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, H. Hunter, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Rhyne, Rogers, Russell, Stamey, Stewart, Tallent, Wainwright, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 96.

Voting in the negative: None.

Excused absences: Representatives R. Hunter and Rhodes - 2.

S.B. 214, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF CERTAIN PROPERTY BY THE TOWN OF HOLLY SPRINGS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Greenwood, Hackney, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, H. Hunter, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey,

Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Rhyne, Rogers, Russell, Stamey, Stewart, Tallent, Wainwright, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 96.

Voting in the negative: None.

Excused absences: Representatives R. Hunter and Rhodes - 2.

S.B. 537, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DISTRIBUTION OF THE PROFITS FROM THE CITY OF STATESVILLE ABC SYSTEM, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

House Committee Substitute for **S.B. 629, A BILL TO BE ENTITLED AN ACT TO EXEMPT UNION AND COLUMBUS COUNTIES FROM CERTAIN STATUTORY REQUIREMENTS IN THE CONSTRUCTION OF COUNTY DETENTION FACILITIES**.

On motion of Representative Loflin, the bill is withdrawn from the Calendar and re-referred to the Committee on Local and Regional Government II.

Committee Substitute for **H.B. 551, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE REQUIREMENTS OF THE 1990 AMENDMENTS TO THE FEDERAL CLEAN AIR ACT**.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gardner, Gist, Gottovi, Grady, Gray, Greenwood, Hardaway, Hasty, Hege, Hightower, Holt, Howard, Huffman, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Redwine, Rhyne, Rogers, Russell, Stamey, Stewart, Tallent, Warner, Wicker, Withrow, Wood, and Woodard - 93.

Voting in the negative: None.

Excused absences: Representatives R. Hunter and Rhodes - 2.

Committee Substitute No. 2. for **H.B. 904, A BILL TO BE ENTITLED AN ACT TO REGULATE THE SALE OF MOTOR VEHICLES BY MOTOR VEHICLE DEALERS**, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beard, Black, Bowen, Bowie, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Rhyne, Robinson, Rogers, Russell, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 107.

Voting in the negative: Representative Brubaker.

Excused absences: Representatives R. Hunter and Rhodes - 2.

REPRESENTATIVE WICKER, HOUSE MAJORITY LEADER, PRESIDING.

Committee Substitute No. 2 for **H.B. 1010, A BILL TO BE ENTITLED AN ACT TO LICENSE WHOLESALE DRUG DISTRIBUTORS**, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnhill, Beard, Black, Bowen, Bowie, Brown, Brubaker, Buchanan, Chapin, Church, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kimsey, Lewis, Ligon, Lilley, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Morgan, Nesbitt, Nye, Oldham, Payne, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 96.

Voting in the negative: None.

Excused absences: Representatives R. Hunter and Rhodes - 2.

Committee Substitute for **H.B. 1037, A BILL TO BE ENTITLED AN ACT TO REFORM THE SMALL EMPLOYER GROUP ACCIDENT AND HEALTH INSURANCE MARKETPLACE IN THE STATE OF NORTH CAROLINA.**

On motion of Representative Hardaway, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhyme, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodward - 110.

Voting in the negative: None.

Excused absences: Representatives Beall, R. Hunter, and Rhodes - 3.

House Committee Substitute for S.B. 764, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ACTIONS FOR NEGLIGENCE OR DEFICIENT SURVEYING OR PLATTING AGAINST REGISTERED LAND SURVEYORS BE COMMENCED WITHIN THREE YEARS AND IN NO EVENT MORE THAN TEN YEARS FROM THE ACT OR OMISSION GIVING RISE TO THE ACTION, AND TO AMEND THE LAW PROVIDING MAPPING REQUIREMENTS FOR PLATS AND SUBDIVISIONS, passes its third reading, by electronic vote (99-0), and is ordered sent to the Senate for concurrence in House committee substitute.

S.B. 165, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF AGING, TO ADMINISTER A HOME AND COMMUNITY CARE BLOCK GRANT FOR OLDER ADULTS, passes its third reading, by electronic vote (101-0), and is ordered enrolled.

Committee Substitute for S.B. 283, A BILL TO BE ENTITLED AN ACT TO AMEND THE WEIGHTS AND MEASURES ACT.

On motion of Representative Dawkins, consideration of the bill is postponed until June 11.

House Committee Substitute for S.B. 286, A BILL TO BE ENTITLED AN ACT TO SPECIFY CERTAIN DUTIES OF THE CHAIRMAN OF THE INDUSTRIAL COMMISSION, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

SPEAKER BLUE PRESIDING.

Committee Substitute for **H.B. 1236**, A BILL TO BE ENTITLED AN ACT TO CONFORM THE CRITERIA FOR DESIGNATION AS A DISTRESSED COUNTY FOR INCOME TAX PURPOSES TO THE CRITERIA USED BY THE INDUSTRIAL DEVELOPMENT FUND, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

SPECIAL ORDER OF BUSINESS

Committee Substitute No. 2 for **H.B. 83**, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET AND EXPANSION BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR OTHER PURPOSES; AND TO PROVIDE REVENUES FOR STATE AND LOCAL NEEDS.

On motion of Representative Miller, Committee Amendment No. 1 is adopted by electronic vote (87-1).

On motion of Representative Miller, Committee Amendment No. 2 is adopted by electronic vote (104-0).

On motion of Representative Kerr, Committee Amendment No. 3 is adopted by electronic vote (102-1).

On motion of Representative Fitch, Committee Amendment No. 4 is adopted by electronic vote (62-38).

On motion of Representative Abernethy, Committee Amendment No. 5 is adopted by electronic vote (96-7).

On motion of Representative Hackney, Committee Amendment No. 6 is adopted by electronic vote (97-11).

Representative Nesbitt offers Amendment No. 7 which is adopted by electronic vote (98-10).

Representative Diamont offers Amendment No. 8 which is adopted by electronic vote (105-0).

Representative DeVane offers Amendment No. 9 which is adopted by electronic vote (105-0).

Representative Hackney offers Amendment No. 10 which is adopted by electronic vote (106-0).

Representative Huffman offers Amendment No. 11 which is adopted by electronic vote (105-0).

Representative Loflin offers Amendment No. 12 which fails of adoption by electronic vote (29-77).

Representative Pope offers Amendment No. 13 which fails of adoption by electronic vote (44-65).

Representative Wilson offers Amendment No. 14 which fails of adoption by electronic vote (37-58).

Representative Michaux offers Amendment No. 15 which fails of adoption by electronic vote (12-94).

Representative Stewart offers Amendment No. 16 which fails of adoption by electronic vote (34-72).

Representative Miller calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Barnes, Barnhill, Beard, Black, Bowen, Bowman, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Cunningham, Dawkins, DeVane, Dial, Diamont, Easterling, Ethridge, Fitch, Fletcher, Foster, Fussell, Gamble, Gist, Gottovi, Green, Greenwood, Hackney, Hardaway, Hasty, Hensley, Hightower, Holt, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, Hurley, James, Jarrell, Jeffus, Jeralds, Jordan, Kahl, Kennedy, Kerr, Lilley, Lineberry, Luebke, Lutz, McAllister, Mercer, Michaux, Miller, Nesbitt, Nye, Oldham, Payne, Ramsey, Redwine, Robinson, Rogers, Stamey, Thompson, Warner, Wicker, Wilmoth, Withrow, Wood, and Woodard - 73.

Voting in the negative: Representatives Abernethy, Balmer, Barbee, Bowie, Brawley, Brown, Brubaker, Creech, Culp, Decker, Dickson, Dockham, Esposito, Flaherty, Gardner, Grady, Gray, Grimmer, Hege, Holmes, Howard, Isenhower, Jones, Justus, Kimsey, Lewis, Ligon, Loflin, McGee, McLaughlin, McLawhorn, Mavretic, Morgan, Pope, Privette, Rhyne, Russell, Smith, Stewart, Tallent, and Wilson - 41.

Excused absences: Representatives Beall, R. Hunter, Rhodes, and Wainwright - 4.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Stewart for the Permanent Subcommittee on State Boards and Commissions:

S.B. 240, A BILL TO BE ENTITLED AN ACT TO ESTABLISH CONTINUING EDUCATION REQUIREMENTS FOR COSMETOLOGY TEACHERS AND TO REQUIRE ADEQUATE VENTILATION IN SHOPS AND SCHOOLS, reported to the Standing Committee on State Government, with a favorable recommendation, as amended, and recommend that the bill be re-referred to the Committee on Appropriations.

S.B. 350, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STATE LIBRARY SHALL ADMINISTER STATE

PUBLICATION GUIDELINES, reported to the Standing Committee on State Government, with a favorable recommendation.

S.B. 385, A BILL TO BE ENTITLED AN ACT TO PROTECT THE SECURITY OF OCCUPATIONAL LICENSING EXAMINATIONS, reported to the Standing Committee on State Government, with a favorable recommendation.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

H.J.R. 1297, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CLYDE ALLISON SHREVE, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

SUBCOMMITTEE REFERRALS

Representative Hardaway, Chairman for the Standing Committee on Commerce, refers:

S.B. 339, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS SUBSTANTIVE AMENDMENTS TO THE INSURANCE LAWS AND OTHER LAWS RELATED TO THE DEPARTMENT OF INSURANCE, to the Permanent Subcommittee on Insurance.

S.B. 342, A BILL TO BE ENTITLED AN ACT TO AMEND AND IMPROVE THE INSURANCE LAWS ON THE MONITORING OF THE FINANCIAL CONDITION OF INSURANCE COMPANIES IN ACCORDANCE WITH THE FINANCIAL REGULATION STANDARDS AND INSURANCE DEPARTMENT ACCREDITATION PROGRAM OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS, to the Permanent Subcommittee on Insurance.

S.B. 581, A BILL TO BE ENTITLED AN ACT TO AMEND THE LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT, to the Permanent Subcommittee on Insurance.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

June 6, 1991

Mr. Speaker:

Pursuant to your message received June 5 that the House of Representatives fails to concur in Senate Amendment No. 1 for **H.B. 996**, A BILL TO BE ENTITLED AN ACT TO COORDINATE THE EFFECTIVE DATE OF CHANGED STATE MEDICAID REIMBURSEMENT AMOUNTS WITH THE DATE FOR WHICH THE CHANGE IS APPROVED BY FEDERAL ADMINISTRATION, and requests conferees, the President Pro Tempore appoints: Senator Richardson, Chairman; Senators Basnight, Walker, and Forester on the part of the Senate to confer with the committee appointed by your

Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Green for the Permanent Subcommittee on Aging of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 81, A BILL TO BE ENTITLED AN ACT REQUIRING THAT THE NORTH CAROLINA MEDICAL CARE COMMISSION AND THE SOCIAL SERVICES COMMISSION DRAFT RULES CONTAINING STATE STANDARDS FOR SPECIAL CARE UNITS IN NURSING HOMES AND REST HOMES FOR ALZHEIMER'S AND RELATED DEMENTIA PATIENTS AND THAT THESE COMMISSIONS MAKE A REPORT TO THE STUDY COMMISSION ON AGING, with a favorable report.

On motion of Representative Jack Hunt, seconded by Representative Wilmoth, the House adjourns at 6:13 p.m. to reconvene June 7 at 8:30 a.m.

EIGHTIETH DAY

HOUSE OF REPRESENTATIVES
Friday, June 7, 1991

The House meets at 8:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of June 10 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (84-0).

Leaves of absence are granted Representatives Beall, Brubaker, Dawkins, Dockham, R. Hunter, Rhodes, Robinson, and Withrow for today.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **H.B. 416, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND CORRECTIVE**

CHANGES TO THE CHILD DAY CARE LAW, is returned for concurrence in Senate amendment and placed on the Calendar for June 10.

H.B. 976, A BILL TO BE ENTITLED AN ACT TO PROTECT FEDERAL OFFICERS AGAINST CIVIL LIABILITY WHEN ASSISTING STATE OR LOCAL LAW ENFORCEMENT OFFICERS, is returned for concurrence in two Senate amendments and placed on the Calendar for June 10.

S.B. 108, A BILL TO BE ENTITLED AN ACT TO IMPROVE ADMINISTRATION OF THE SALES AND USE TAX BY INCREASING THE LICENSE TAXES, ALLOWING MORE SMALL RETAILERS TO FILE QUARTERLY SALES TAX RETURNS, AND EXTENDING THE LIMITATIONS PERIOD FOR ENFORCING LIABILITY AGAINST CERTAIN TRANSFEREES AND CORPORATE OFFICERS, is read the first time and referred to the Committee on Finance.

S.B. 474, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT UNINCORPORATED AREAS ADDED TO AN EXISTING SEWERAGE DISTRICT ARE REPRESENTED BY THE MEMBERS REPRESENTING THE COUNTY IN WHICH THE AREAS LIE, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

CALENDAR

SPECIAL ORDER OF BUSINESS

Action is taken on the following:

H.B. 83, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET AND EXPANSION BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR OTHER PURPOSES; AND TO PROVIDE REVENUES FOR STATE AND LOCAL NEEDS.

Representative Nesbitt offers Amendment No. 17 which is adopted by electronic vote (95-0).

Representative Bowman offers Amendment No. 18 which is adopted by electronic vote (97-0).

Representative Hensley offers Amendment No. 19.

Representative Church requests that he be excused from voting on Amendment No. 19 under Rule 24.1A and this request is granted.

Representative Hensley calls the previous question on Amendment No. 19 and the call is sustained.

Amendment No. 19 fails of adoption by electronic vote (35-66).

Representative Hackney offers Amendment No. 20 which is adopted by electronic vote (97-3).

Representative Miller calls the previous question on the passage of the bill and moves that the call for the previous question be postponed indefinitely, and further moves, seconded by Representative Sam Hunt, that the motion do lie upon the table. This motion carries by electronic vote (66-36).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Albertson, Anderson, Barnes, Barnhill, Beard, Black, Bowen, Bowman, Buchanan, Chapin, Church, Colton, N. J. Crawford, Cunningham, DeVane, Dial, Diamont, Easterling, Ethridge, Fitch, Fletcher, Foster, Fussell, Gamble, Gottovi, Greenwood, Hackney, Hardaway, Hensley, Hightower, Holt, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, Hurley, James, Jarrell, Jeffus, Jeralds, Jordan, Kahl, Kennedy, Kerr, Lilley, Lineberry, Luebke, Lutz, Mercer, Michaux, Miller, Nesbitt, Nye, Oldham, Payne, Ramsey, Redwine Rogers, Stamey, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wood, and Woodard - 66.

Voting in the negative: Representatives Abernethy, Balmer, Barbee, Bowie, Brawley, Brown, Creech, Culp, Decker, Dickson, Esposito, Flaherty, Gardner, Grady, Gray, Grimmer, Hasty, Hege, Holmes, Howard, Huffman, Isenhower, Justus, Kimsey, Lewis, Ligon, Loflin, McGee, McLawhorn, Mavretic, Morgan, Pope, Privette, Rhyne, Russell, Smith, Stewart, Tallent, and Wilson - 39.

Excused absences: Representatives Beall, Brubaker, Dawkins, Dockham, R. Hunter, Rhodes, Robinson, and Withrow - 8.

Representative Jack Hunt moves, seconded by Representative Church, that subject to the reading of notices and announcements, the House do adjourn. This motion carries by electronic vote (79-16).

The House adjourns at 10:45 a.m. to reconvene Monday, June 10, 1991 at 8:00 p.m.

EIGHTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Monday, June 10, 1991

The House meets at 8:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of June 7 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (73-0).

Leaves of absence are granted Representatives Brown, Grimmer, and Sam Hunt for today.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Kennedy for the Committee on Judiciary I:

H.B. 928, A BILL TO BE ENTITLED AN ACT TO ELIMINATE BOND IN ACTIONS WHERE THE STATE OR A COUNTY IS THE PLAINTIFF, with recommendation that the House concur.

S.B. 23, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF BLUE LIGHTS BY ANYONE OTHER THAN LAW ENFORCEMENT PERSONNEL, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Isenhower and Huffman:

H.J.R. 1299, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JULIUS REID POOVEY, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Isenhower and Huffman:

H.J.R. 1300, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CARL WILLIAM RULLMAN, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Appointments and Calendar.

CALENDAR

Action is taken on the following:

H.B. 427, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ROLE OF THE ATTORNEY GENERAL'S OFFICE IN COMMITMENT HEARINGS.

On motion of Representative J. W. Crawford, the House concurs in the Senate amendment, by electronic vote (84-0), and the bill is ordered enrolled.

REPRESENTATIVE COLTON, SPEAKER PRO TEMPORE, PRESIDING.

Committee Substitute for **H.B. 423, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MEANING OF "REPAIR" OF A SANITARY SEWAGE SYSTEM.**

On motion of Representative Dickson, the House concurs in the Senate amendment, by electronic vote (87-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 440, A BILL TO BE ENTITLED AN ACT TO ALLOW REPRESENTATIVES DESIGNATED BY THE**

COUNTY DIRECTOR OF SOCIAL SERVICES TO ACT ON BEHALF OF THE COUNTY DIRECTOR OF SOCIAL SERVICES.

On motion of Representative Russell, the House concurs in the Senate amendment, by electronic vote (88-0), and the bill is ordered enrolled.

Committee Substitute for H.B. 416, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND CORRECTIVE CHANGES TO THE CHILD DAY CARE LAW.

On motion of Representative Easterling, consideration of the bill is postponed until June 11.

H.B. 868, A BILL TO BE ENTITLED AN ACT TO PROVIDE A MEANS OF RECORDING A NOTICE DOCUMENT PRIOR TO A REAL ESTATE CLOSING WHICH WOULD FIX AT THAT TIME THE PRIORITY OF TITLE DOCUMENTS RECORDED LATER IN CONNECTION WITH THAT REAL ESTATE CLOSING.

On motion of Representative R. Hunter, the House concurs in Senate Amendment No. 1 by electronic vote (93-1).

On motion of Representative R. Hunter, the House concurs in Senate Amendment No. 2, by electronic vote (98-1), and the bill is ordered enrolled.

SPEAKER BLUE PRESIDING.

H.B. 976, A BILL TO BE ENTITLED AN ACT TO PROTECT FEDERAL OFFICERS AGAINST CIVIL LIABILITY WHEN ASSISTING STATE OR LOCAL LAW ENFORCEMENT OFFICERS.

On motion of Representative Anderson, the House concurs in Senate Amendment No. 1 by electronic vote (101-1).

On motion of Representative Anderson, the House concurs in Senate Amendment No. 2, by electronic vote (97-1), and the bill is ordered enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 165, AN ACT TO PROVIDE FOR THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF AGING, TO ADMINISTER A HOME AND COMMUNITY CARE BLOCK GRANT FOR OLDER ADULTS. (CHAPTER 241)

S.B. 190, AN ACT TO INCORPORATE THE TOWN OF MOMEYER IN NASH COUNTY. (CHAPTER 242)

S.B. 214, AN ACT CONCERNING ANNEXATION OF CERTAIN PROPERTY BY THE TOWN OF HOLLY SPRINGS. (CHAPTER 243)

S.B. 537, AN ACT TO MODIFY THE DISTRIBUTION OF THE PROFITS FROM THE CITY OF STATESVILLE ABC SYSTEM. (CHAPTER 244)

S.B. 555, AN ACT TO INCREASE THE PENALTIES FOR VIOLATION OF TOWN OF NORTH TOPSAIL BEACH OR ONSLOW COUNTY ORDINANCES. (CHAPTER 245)

S.B. 623, AN ACT TO MAKE VARIOUS AMENDMENTS TO LAWS APPLICABLE IN ORANGE AND CHATHAM COUNTIES. (CHAPTER 246)

H.B. 598, AN ACT TO PROHIBIT THE RECKLESS USE OF FIREARMS IN PASQUOTANK COUNTY. (CHAPTER 247)

H.B. 638, AN ACT EXTENDING THE EXTRATERRITORIAL JURISDICTION OF THE TOWN OF MONTREAT. (CHAPTER 248)

H.B. 689, AN ACT TO REDISTRIBUTE THE MADISON COUNTY BOARD OF EDUCATION, CHANGE THE MANNER OF ELECTION FROM PARTISAN TO NONPARTISAN, CHANGE THE TIME OF TAKING OFFICE FROM APRIL TO DECEMBER, AND PROVIDE FOR THE SEPARATE ELECTION OF THE CHAIRMAN, ALL SUBJECT TO A REFERENDUM. (CHAPTER 249)

H.B. 735, AN ACT TO AUTHORIZE BUNCOMBE COUNTY TO ADOPT "PREDEVELOPMENT ORDINANCES". (CHAPTER 250)

H.B. 811, AN ACT TO CHANGE THE TERM OF OFFICE OF THE MADISON COUNTY TAX COLLECTOR FROM TWO YEARS TO FOUR YEARS BEGINNING IN 1992. (CHAPTER 251)

H.B. 816, AN ACT TO CREATE A NEW OFFENSE OF THIRD DEGREE TRESPASS IN DAVIDSON COUNTY. (CHAPTER 252)

CALENDAR (continued)

H.B. 702, A BILL TO BE ENTITLED AN ACT CONCERNING REDISTRICTING FOR LOCAL ELECTIONS IN ROBESON COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **S.B. 486, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALEXANDER COUNTY BOARD OF EDUCATION TO REDISTRIBUTE, passes its second reading and there being no objection is read a third time.**

The bill passes its third reading and is ordered enrolled.

Committee Substitute No. 2 for **H.B. 904, A BILL TO BE ENTITLED AN ACT TO REGULATE THE SALE OF MOTOR VEHICLES BY MOTOR VEHICLE DEALERS, passes its third reading, by the following vote, and is ordered sent to the Senate.**

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Beall, Beard, Bowen, Bowie, Bowman, Brawley, Brubaker, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Hasty, Hege, Hensley, Hightower, Holt, Howard, Jack Hunt, Judy Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 99.

Voting in the negative: None.

Excused absences: Representatives Brown, Grimmer, and Sam Hunt - 3.

Committee Substitute No. 2 for **H.B. 1010**, A BILL TO BE ENTITLED AN ACT TO LICENSE WHOLESALE DRUG DISTRIBUTORS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brawley, Brubaker, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Dawkins, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Hackney, Hasty, Hege, Hensley, Hightower, Holt, Howard, Jack Hunt, Judy Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Morgan, Nesbitt, Nye, Oldham, Payne, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 99.

Voting in the negative: None.

Excused absences: Representatives Brown, Grimmer, and Sam Hunt - 3.

Committee Substitute for **H.B. 1037**, A BILL TO BE ENTITLED AN ACT TO REFORM THE SMALL EMPLOYER GROUP ACCIDENT AND HEALTH INSURANCE MARKETPLACE IN THE STATE OF NORTH CAROLINA.

Representative Hardaway offers Amendment No. 2 which is adopted by electronic vote (97-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brawley, Brubaker, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Hardaway, Hasty, Hege, Hensley, Hightower, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 104.

Voting in the negative: None.

Excused absences: Representatives Brown, Grimmer, and Sam Hunt - 3.

Committee Substitute for **H.B. 450, A BILL TO BE ENTITLED AN ACT TO UPDATE AND CLARIFY THE TRADEMARK REGISTRATION ACT.**

Representative R. Hunter offers Amendment No. 1 which is adopted by electronic vote (98-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brawley, Brubaker, Chapin, Church, N. J. Crawford, Creech, Culp, Dawkins, Decker, Dial, Dickson, Dockham, Easterling, Esposito, Flaherty, Fletcher, Foster, Fussell, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Hackney, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Jack Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Privette, Redwine, Rhodes, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 94.

Voting in the negative: None.

Excused absences: Representatives Brown, Grimmer, and Sam Hunt - 3.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative R. Hunter for the Committee on Judiciary III:

H.B. 753, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR BROADER POWERS FOR HOSPITAL, MEDICAL AND DENTAL

SERVICE CORPORATIONS TO PROVIDE FOR INDEMNIFICATION OF INSURANCE FOR OFFICERS AND DIRECTORS, with an unfavorable report.

Committee Substitute for S.B. 422, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE LAWS CONCERNING THE SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION, with a favorable report.

S.B. 511, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING AND THE USE OF FIREARMS IN WAKE COUNTY, with a favorable report.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Kerr for the Permanent Subcommittee on State Revenue:

Committee Substitute for H.B. 734, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COLLEGIATE INSIGNIA REGISTRATION PLATES, reported to the Standing Committee on Finance, with a favorable recommendation as to proposed Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

H.B. 1038, A BILL TO BE ENTITLED AN ACT TO REQUIRE CONTINUING EDUCATION FOR LOCAL ENVIRONMENTAL HEALTH STAFF WHO CARRY OUT RULES ADOPTED BY THE COMMISSION FOR HEALTH SERVICES, AND TO SUPPORT THIS AND OTHER CRITICALLY NEEDED SEWAGE DISPOSAL AND RELATED ACTIVITIES BY IMPOSING A FEE ON SEPTIC TANKS SOLD FOR USE IN NORTH CAROLINA, reported to the Standing Committee on Finance, with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

CALENDAR (continued)

Committee Substitute No. 2 for H.B. 881, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FEE-BASED PRACTICING PASTORAL COUNSELORS CERTIFICATION ACT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowie, Bowman, Brubaker, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Dial, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Fussell, Gardner, Gist, Gottovi, Gray, Green, Greenwood, Hackney, Hasty, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, H. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Ligon, Lilley, Loflin, Luebke, McAllister, McGee, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Privette, Ramsey, Redwine, Rhodes, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 89.

Voting in the negative: Representatives Albertson, Brawley, Creech, Decker, Grady, Hege, Kimsey, Lewis, Lutz, McLaughlin, and Rhyne - 11.

Excused absences: Representatives Brown, Grimmer, and Sam Hunt - 3.

Committee Substitute for **H.B. 890**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NEWBORN SCREENING PROGRAM WITHIN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brubaker, Chapin, Church, Colton, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 106.

Voting in the negative: None.

Excused absences: Representatives Brown, Grimmer, and Sam Hunt - 3.

Committee Substitute No. 2 for **H.B. 908**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH REGULATORY FEES FOR ELECTRIC MEMBERSHIP CORPORATIONS AND TELEPHONE MEMBERSHIP CORPORATIONS TO DEFRAY THE COST TO THE NORTH CAROLINA RURAL ELECTRIFICATION AUTHORITY OF REGULATING MEMBERSHIP CORPORATIONS IN THE INTEREST OF THE PUBLIC, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brubaker, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Hackney, Hardaway, Hasty, Hege, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee,

McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Privette, Ramsey, Redwine, Rhodes, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 104.

Voting in the negative: Representative Kimsey.

Excused absences: Representatives Brown, Grimmer, and Sam Hunt - 3.

House Committee Substitute for S.B. 769, A BILL TO BE ENTITLED AN ACT TO ASSURE THAT THE NORTH CAROLINA WORKERS' COMPENSATION ACT EXTENDS TO INJURIES OUTSIDE THE STATE FOR EMPLOYEES WHOSE PRINCIPAL PLACE OF EMPLOYMENT IS IN NORTH CAROLINA, passes its second reading, by electronic vote (102-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

S.B. 639, A BILL TO BE ENTITLED AN ACT TO MAKE IT CLEAR THAT A POWER OF SALE INCLUDED IN A LEASEHOLD MORTGAGE OR LEASEHOLD DEED OF TRUST IS ENFORCEABLE, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

House Committee Substitute for S.B. 690, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ENFORCEMENT OF A LIEN ON A MOTOR VEHICLE IN CONNECTION WITH REPAIRS, WHEN THE LIENOR DOES NOT HAVE POSSESSION OF THE MOTOR VEHICLE.

On motion of Representative Wicker, Committee Amendment No. 1 is adopted by electronic vote (99-0). This amendment changes the title.

The bill, as amended, passes its second reading, by electronic vote (100-0), and the title having been changed, remains on the Calendar.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

S.J.R. 958, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CLYDE ALLISON SHREVE, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY.

On motion of Representative Lineberry, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

S.J.R. 949, A JOINT RESOLUTION CONGRATULATING THE NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS AND THE NORTH CAROLINA COMMISSIONERS, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

CALENDAR (continued)

S.B. 516, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES' ADOPTION OF STANDARDS FOR SERVICE DELIVERY TO DEPARTMENT OF CORRECTION INMATES, passes its second reading by electronic vote (99-0).

Representative J. W. Crawford objects to the third reading. The bill remains on the Calendar.

S.B. 798, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL SCHOOL BOARDS TO DEVELOP POLICIES REGARDING CORPORAL PUNISHMENT IN THEIR SCHOOLS.

Responding to inquiry by Representative Kerr, the Speaker rules that the bill is in compliance with House Rule 31(d).

Representative Redwine calls the previous question on the passage of the bill and the call is sustained.

The bill passes its second reading by electronic vote (61-43).

Representative Brawley objects to the third reading. The bill remains on the Calendar.

H.J.R. 1297, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CLYDE ALLISON SHREVE, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY.

On motion of Representative Lineberry, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Appointments and Calendar.

S.B. 81, A BILL TO BE ENTITLED AN ACT REQUIRING THAT THE NORTH CAROLINA MEDICAL CARE COMMISSION AND THE SOCIAL SERVICES COMMISSION DRAFT RULES CONTAINING STATE STANDARDS FOR SPECIAL CARE UNITS IN NURSING HOMES AND REST HOMES FOR ALZHEIMER'S AND RELATED DEMENTIA PATIENTS AND THAT THESE COMMISSIONS MAKE A REPORT TO THE STUDY COMMISSION ON AGING.

On motion of Representative N. J. Crawford, the bill is postponed indefinitely by electronic vote (101-2).

On motion of Representative Jack Hunt, seconded by Representative Withrow, the House adjourns at 10:03 p.m. to reconvene June 11 at 1:30 p.m.

EIGHTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 11, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of June 10 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (72-0).

Leaves of absence are granted Representatives Abernethy, Brown, and Grimmer for today.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Kennedy for the Committee on Judiciary I:

S.B. 744, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE EXPUNCTION OF THE RECORD OF A DEFENDANT NOT PREVIOUSLY CONVICTED OF A FELONY WHEN CRIMINAL CHARGES AGAINST THE DEFENDANT ARE DISMISSED OR THERE IS A FINDING OF NOT GUILTY, with a favorable report.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Chapin for the Permanent Subcommittee on Aquaculture and Marine Fisheries of the Standing Committee on Agriculture, with approval of standing committee chairman for report to be made directly to the floor of the House:

Committee Substitute for S.B. 389, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE NORTH CAROLINA MARINE SCIENCE COUNCIL, TO CREATE THE NORTH CAROLINA COUNCIL ON OCEAN AFFAIRS, AND TO REQUIRE THE OFFICE OF MARINE AFFAIRS TO ADMINISTER THE NORTH CAROLINA AQUARIUMS, with a favorable report, as amended.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lutz for the Committee on Local and Regional Government II:

Senate Committee Substitute for H.B. 356, A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FROM THE PUBLIC RECORDS ACT FOR CERTAIN GEOGRAPHICAL

INFORMATION SYSTEMS, with recommendation that the House concur.

Senate Committee Substitute for **H.B. 782**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF MOORESVILLE TO EXERCISE EXTRATERRITORIAL LAND-USE REGULATION WITHIN ONE MILE OF ITS SATELLITE CORPORATE LIMITS AND TO ALLOW THE CITIES OF STANLEY AND MOUNT HOLLY TO EXERCISE THEIR EXTRATERRITORIAL JURISDICTION NOT MORE THAN TWO MILES BEYOND THEIR CORPORATE LIMITS, with recommendation that the House concur.

Committee Substitute for **S.B. 368**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF MONROE TO DISPOSE OF CERTAIN PROPERTY ACQUIRED BY EMINENT DOMAIN, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 590, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF HENDERSONVILLE RELATING TO ASSESSMENTS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representative Barnes for the Committee on Education:

Committee Substitute for **S.B. 126**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATE EFFORT TO PROVIDE REMEDIATION, with a favorable report.

Committee Substitute for **S.B. 594**, A BILL TO BE ENTITLED AN ACT RELATING TO ELIGIBILITY TO SERVE ON A COMMUNITY COLLEGE BOARD OF TRUSTEES, with a favorable report.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **H.B. 442**, A BILL TO BE ENTITLED AN ACT TO REQUIRE NOTIFICATION TO THE DISTRICT ATTORNEY, THE VICTIM, THE VICTIM'S FAMILY, AND THE ARRESTING LAW ENFORCEMENT AGENCY WHENEVER A PRISONER IS BEING CONSIDERED FOR PAROLE, is returned for concurrence in two Senate amendments and placed on the Calendar for June 12.

H.B. 623, A BILL TO BE ENTITLED AN ACT TO ALLOW COLUMBUS COUNTY AND BRUNSWICK COUNTY TO ENTER INTO LONG-TERM SOLID WASTE DISPOSAL CONTRACTS AND FRANCHISE AGREEMENTS, is returned for concurrence in Senate amendment, which is ruled to be material, and referred to the Committee on Local and Regional Government II.

Senate Committee Substitute for **H.B. 652**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MANNER OF FILLING VACANCIES IN THE OFFICE OF THE REGISTERS OF DEEDS OF CAMDEN, CHOWAN, HALIFAX, PASQUOTANK, AND PERQUIMANS COUNTIES, is returned for concurrence in Senate committee substitute, which changes the title, and referred to the Committee on Local and Regional Government I.

Senate Committee Substitute for **H.B. 662**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW PROVIDING FOR THE DISPOSITION BY LAUNDRIES AND DRY CLEANERS OF UNCLAIMED GARMENTS, is returned for concurrence in Senate committee substitute, which changes the title.

On motion of Representative Mavretic, the House does not concur in the Senate committee substitute and a conference committee is requested.

The Speaker appoints as conferees on the part of the House, Representatives Mavretic, Wilmoth, and Howard and the Senate is so notified by Special Message.

Senate Committee Substitute for **H.B. 737**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO IMPOSE CONDITIONS AND RESTRICTIONS ON THE SALE OF PROPERTY, is returned for concurrence in Senate committee substitute, which changes the title, and referred to the Committee on Local and Regional Government I.

Senate Committee Substitute for **H.B. 991**, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIAL RULES FOR INTERNATIONAL COMMERCIAL ARBITRATIONS, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 12.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 486, AN ACT TO AUTHORIZE THE ALEXANDER COUNTY BOARD OF EDUCATION TO REDISTRICT. (CHAPTER 253)

S.B. 491, AN ACT TO CHANGE THE MANNER OF ELECTION OF THE CLAY COUNTY BOARD OF EDUCATION FROM PARTISAN TO NONPARTISAN. (CHAPTER 254)

S.B. 639, AN ACT TO MAKE IT CLEAR THAT A POWER OF SALE INCLUDED IN A LEASEHOLD MORTGAGE OR LEASEHOLD DEED OF TRUST IS ENFORCEABLE. (CHAPTER 255)

H.B. 423, AN ACT TO CLARIFY THE MEANING OF "REPAIR" OF A SANITARY SEWAGE SYSTEM. (CHAPTER 256)

H.B. 427, AN ACT TO CLARIFY THE ROLE OF THE ATTORNEY GENERAL'S OFFICE IN COMMITMENT HEARINGS. (CHAPTER 257)

H.B. 440, AN ACT TO ALLOW REPRESENTATIVES DESIGNATED BY THE COUNTY DIRECTOR OF SOCIAL SERVICES TO ACT ON BEHALF OF THE COUNTY DIRECTOR OF SOCIAL SERVICES. (CHAPTER 258)

H.B. 691, AN ACT TO REMOVE THE CITY OF SALISBURY'S LOCAL MODIFICATIONS TO G.S. 58-84-30 AND G.S. 58-84-35. (CHAPTER 259)

H.B. 807, AN ACT TO AMEND THE LAW RELATING TO THE CONOVER FIREMEN'S SUPPLEMENTAL RETIREMENT FUND. (CHAPTER 260)

H.B. 868, AN ACT TO PROVIDE A MEANS OF RECORDING A NOTICE DOCUMENT PRIOR TO A REAL ESTATE CLOSING WHICH WOULD FIX AT THAT TIME THE PRIORITY OF TITLE DOCUMENTS RECORDED LATER IN CONNECTION WITH THAT REAL ESTATE CLOSING. (CHAPTER 261)

H.B. 976, AN ACT TO PROTECT FEDERAL OFFICERS AGAINST CIVIL LIABILITY WHEN ASSISTING STATE OR LOCAL LAW ENFORCEMENT OFFICERS. (CHAPTER 262)

S.J.R. 958, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CLYDE ALLISON SHREVE, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 18)

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representatives Diamont and Nesbitt for the Committee on Appropriations:

H.B. 176, A BILL TO BE ENTITLED AN ACT ESTABLISHING A METHOD FOR SETTING THE FEES PAID TO CONTRACT AGENTS OF THE DIVISION OF MOTOR VEHICLES, with a favorable report.

Committee Substitute for **H.B. 347**, A BILL TO BE ENTITLED AN ACT TO REQUIRE MAMMOGRAM AND PAP SMEAR COVERAGE IN HEALTH AND ACCIDENT INSURANCE POLICIES, IN HOSPITAL OR MEDICAL SERVICES PLANS, IN HMO PLANS, AND IN THE STATE EMPLOYEES COMPREHENSIVE MAJOR MEDICAL PLAN, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Committee Substitute Bill No. 2 is placed on the Calendar for June 13. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 384, A BILL TO BE ENTITLED AN ACT TO PROVIDE GREATER FINANCIAL FLEXIBILITY TO THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL, with a favorable report, as amended.

H.B. 725, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELIGIBILITY FOR GRANTS UNDER THE VOLUNTEER RESCUE/EMS FUND, with a favorable report.

H.B. 875, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FISCAL NOTES ON LEGISLATION CAUSING A NET INCREASE IN INCARCERATION, with a favorable report, as amended.

S.B. 269, A BILL TO BE ENTITLED AN ACT TO ALLOW THE HIGHWAY FUND TO BE REIMBURSED BY THE HIGHWAY TRUST FUND FOR THE AMOUNT OF HIGHWAY FUND REVENUE USED TO MATCH FEDERAL FUNDS APPLIED TO A HIGHWAY TRUST FUND PROJECT, with a favorable report.

S.B. 483, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 745 OF THE 1989 SESSION LAWS TO INCREASE THE AUTHORIZED PROJECT COST OF A WHOLLY SELF-LIQUIDATING RESEARCH FACILITY TO BE LEASED TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BY THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, with a favorable report.

House Committee Substitute for **S.B. 522**, A BILL TO BE ENTITLED AN ACT TO TO CREATE THE NORTH CAROLINA TRAVEL AND TOURISM BOARD, with a favorable report.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Hightower for the Permanent Subcommittee on Hazardous Waste of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 377, A BILL TO BE ENTITLED AN ACT TO ALLOW DISCRETION BY THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AS TO WHETHER TO SEEK FEDERAL APPROVAL OF ANY INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE CLEANUP AND AS TO WHETHER ENVIRONMENTAL PERMITS ARE REQUIRED FOR CLEANUPS CONDUCTED ENTIRELY ON-SITE, with a favorable report.

CALENDAR

Committee Substitute for **H.B. 416**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND CORRECTIVE CHANGES TO THE CHILD DAY CARE LAW.

On motion of Representative Easterling, the House concurs in the Senate amendment, by electronic vote (96-0), and the bill is ordered enrolled.

H.B. 928, A BILL TO BE ENTITLED AN ACT TO ELIMINATE BOND IN ACTIONS WHERE THE STATE OR A COUNTY IS THE PLAINTIFF.

On motion of Representative Holt, the House concurs in the Senate amendment, which changes the title, by electronic vote (104-0), and the bill is ordered enrolled.

Committee Substitute for **S.B. 511**, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING AND THE USE OF FIREARMS IN WAKE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

RE-REFERRAL

On motion of Representative Barnes, **S.B. 498**, A BILL TO BE ENTITLED AN ACT TO MERGE THE EDGECOMBE COUNTY AND TARBORO CITY SCHOOL ADMINISTRATIVE UNITS, is withdrawn from the Committee on Education and re-referred to the Committee on Finance.

CALENDAR (continued)

Committee Substitute No. 2 for **H.B. 881**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FEE-BASED PRACTICING PASTORAL COUNSELORS CERTIFICATION ACT, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Gamble, Gardner, Gist, Gottovi, Green, Greenwood, Hackney, Hardaway, Hasty, Hensley, Hightower, Holmes, Holt, Huffman, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Ligon, Lilley, Lineberry, Luebke, McAllister, McGee, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, and Woodard - 95.

Voting in the negative: Representatives Brawley, Creech, Decker, Grady, Hege, Howard, Kimsey, Lewis, Loflin, and McLaughlin - 10.

Excused absences: Representatives Abernethy, Brown, and Grimmer - 3.

Committee Substitute for **H.B. 890**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NEWBORN SCREENING PROGRAM WITHIN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brubaker, Buchanan, Chapin, Church, Colton,

J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Gamble, Gardner, Gist, Gottovi, Grady, Green, Greenwood, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Privette, Ramsey, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, and Woodard - 106.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Brown, and Grimmer - 3.

Committee Substitute No. 2 for H.B. 908, A BILL TO BE ENTITLED AN ACT TO ESTABLISH REGULATORY FEES FOR ELECTRIC MEMBERSHIP CORPORATIONS AND TELEPHONE MEMBERSHIP CORPORATIONS TO DEFRAY THE COST TO THE NORTH CAROLINA RURAL ELECTRIFICATION AUTHORITY OF REGULATING MEMBERSHIP CORPORATIONS IN THE INTEREST OF THE PUBLIC, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Brawley, Brubaker, Buchanan, Chapin, Church, Colton, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 106.

Voting in the negative: Representative Kimsey.

Excused absences: Representatives Abernethy, Brown, and Grimmer - 3.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Gamble for the Permanent Subcommittee on Local and Regional Government Revenue:

H.B. 1202, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DEBTS THAT REMAIN UNPAID ONE HUNDRED TWENTY DAYS AFTER THEY ARE DUE ARE TAXABLE AS INCOME TO THE DEBTOR, reported to the Standing Committee on Finance, with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

CALENDAR (continued)

House Committee Substitute for **S.B. 690, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ENFORCEMENT OF A LIEN ON A MOTOR VEHICLE, MOTORBOAT, WATERCRAFT OF ANY KIND, OR BOAT TRAILER IN CONNECTION WITH REPAIRS, WHEN THE LIENOR DOES NOT HAVE POSSESSION OF THE MOTOR VEHICLE, BOAT, WATERCRAFT OF ANY KIND, OR BOAT TRAILER.**

The bill, as amended, passes its third reading, by electronic vote (108-0), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

S.B. 516, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES' ADOPTION OF STANDARDS FOR SERVICE DELIVERY TO DEPARTMENT OF CORRECTION INMATES.

On motion of Representative Holt, consideration of the bill is postponed until June 12.

S.B. 798, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL SCHOOL BOARDS TO DEVELOP POLICIES REGARDING CORPORAL PUNISHMENT IN THEIR SCHOOLS.

Representative Kerr moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Education.

Representative Redwine moves, seconded by Representative Diamond, that the motion to re-refer the bill to the Committee on Education, do lie upon the table. This motion fails by electronic vote (51-60).

The question before the House is the motion to re-refer the bill to the Committee on Education.

Representative Kerr calls the previous question on the motion.

Representative Payne moves that the call for the previous question be postponed indefinitely.

Representative Payne withdraws the motion to postpone indefinitely the call for the previous question on the motion to re-refer the bill to the Committee on Education.

The question before the House is the call for the previous question on the motion to re-refer the bill to the Committee on Education and the call is sustained.

A division having been called, the motion to withdraw the bill from the Calendar and re-refer to the Committee on Education fails by electronic vote (50-61).

Representative Redwine calls the previous question on the passage of the bill and the call is sustained.

The bill passes its third reading, by electronic vote (70-42), and is ordered enrolled.

S.B. 680, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AGE LIMITATIONS FOR SERVICE AS A JUSTICE OR JUDGE OF THE APPELLATE DIVISION OF THE GENERAL COURT OF JUSTICE.

Representative Fitch offers Amendment No. 1.

Responding to inquiry by Representative Rhyne, the Speaker rules Amendment No. 1 is out of order.

Representative Nesbitt moves the bill be withdrawn from the Calendar and re-referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda. A division having been called, this motion carries by electronic vote (61-31).

S.B. 399, A BILL TO BE ENTITLED AN ACT TO REDUCE FROM SIX TO THREE MONTHS THE TIME FOR PRESENTATION OF CLAIMS AGAINST A DECEDENT'S ESTATE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading by electronic vote (93-0).

Representative Michaux objects to the third reading. The bill remains on the Calendar.

Committee Substitute for S.B. 283, A BILL TO BE ENTITLED AN ACT TO AMEND THE WEIGHTS AND MEASURES ACT.

On motion of Representative Dawkins, the bill is withdrawn from the Calendar and re-referred to the committee on Judiciary II.

Committee Substitute for S.B. 422, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE LAWS CONCERNING THE SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION, passes its second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Barnes for the Committee on Education:

S.B. 599, A BILL TO BE ENTITLED AN ACT PERMITTING THE CHILD OF A LEGISLATOR TO ATTEND SCHOOL IN THE LOCAL SCHOOL ADMINISTRATIVE UNIT IN WHICH HE RESIDES

WHILE HIS PARENT SERVES IN THE GENERAL ASSEMBLY, with a favorable report as to House committee substitute bill, unfavorable as to Senate bill.

The House committee substitute bill is placed on the Calendar for June 13. The Senate bill is placed on the Unfavorable Calendar.

RE-REFERRAL

On motion of Representative Diamont, **S.B. 483**, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 745 OF THE 1989 SESSION LAWS TO INCREASE THE AUTHORIZED PROJECT COST OF A WHOLLY SELF-LIQUIDATING RESEARCH FACILITY TO BE LEASED TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BY THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, is withdrawn from the Calendar for June 12 and re-referred to the Committee on Finance.

CALENDAR (continued)

S.B. 23, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF BLUE LIGHTS BY ANYONE OTHER THAN LAW ENFORCEMENT PERSONNEL, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

On motion of Representative Jack Hunt, seconded by Representative Black, the House adjourns at 3:20 p.m. to reconvene June 12 at 1:30 p.m.

EIGHTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 12, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of June 11 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (77-0).

Leaves of absence are granted Representatives R. Hunter, Loflin, and Stamey for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representatives Bowen, Fitch and Sam Hunt for the Committee on Legislative and Local Redistricting:

H.B. 630, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REDISTRICTING OF THE BRUNSWICK COUNTY BOARD OF COMMISSIONERS AND THE BRUNSWICK COUNTY BOARD OF EDUCATION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for June 14. The original bill is placed on the Unfavorable Calendar.

H.B. 963, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE AUTHORITY OF LOCAL BOARDS TO REVISE RESIDENCY DISTRICTS, with a favorable report, as amended.

H.B. 1240, A BILL TO BE ENTITLED AN ACT TO MAKE NECESSARY STATUTORY CHANGES TO KEEP CURRENT THE LEGISLATIVE REDISTRICTING SYSTEM AND TO MAKE AN APPROPRIATION THEREFOR, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of Representative Sam Hunt, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Appropriations.

H.B. 1298, A BILL TO BE ENTITLED AN ACT AFFECTING THE ELECTION OF THE SAMPSON COUNTY BOARD OF COMMISSIONERS, with a favorable report.

S.B. 139, A BILL TO BE ENTITLED AN ACT TO ALLOW BESSEMER CITY TO REDISTRICT ITS RESIDENCY WARDS TO THE EXTENT PERMISSIBLE BY FEDERAL CONSTITUTIONAL AND STATUTORY PROVISIONS, SO AS TO ALLOW MAXIMIZATION OF MINORITY VOTING STRENGTH, with a favorable report.

S.B. 225, A BILL TO BE ENTITLED AN ACT TO GIVE LOCAL BOARDS OF EDUCATION ELECTED ON A DISTRICT BASIS SIMILAR POWER AS CITIES TO REDISTRICT, with a favorable report, as amended.

S.B. 612, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MERGER AND CONSOLIDATION OF THE SCHOOL ADMINISTRATIVE UNITS IN NASH COUNTY AND THE CITY OF ROCKY MOUNT, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representative Hasty for the Committee on Economic Expansion:

H.B. 375, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COUNTY TAX ASSESSOR SHALL MAKE CERTAIN TAXPAYER BUSINESS RECORDS AVAILABLE TO THE EMPLOYMENT SECURITY COMMISSION ON REQUEST, with an indefinite postponement report.

H.B. 555, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCRIMINATION IN EMPLOYMENT BECAUSE OF RACE,

COLOR, RELIGION, SEX, NATIONAL ORIGIN, AGE, OR DISABILITY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Appointments and Calendar.

The committee substitute bill is re-referred to the Committee on Rules, Appointments and Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 975, A BILL TO BE ENTITLED AN ACT TO PREVENT THE RECORDATION OF PERSONAL IDENTIFICATION INFORMATION ON CREDIT CARD TRANSACTION FORMS, with an indefinite postponement report.

H.B. 995, A BILL TO BE ENTITLED AN ACT TO REGULATE CERTAIN EMPLOYMENT AGENCIES EXEMPTED FROM CURRENT REGULATION, with an indefinite postponement report.

By Representative Ramsey for the Committee on Public Employees:

S.B. 122, A BILL TO BE ENTITLED AN ACT TO DEFINE "CAREER STATE EMPLOYEES" AND TO ESTABLISH A DIFFERENT SET OF CRITERIA FOR DETERMINING WHETHER A STATE EMPLOYEE IS SUBJECT TO CHAPTER 126 OF THE GENERAL STATUTES, with a favorable report.

S.B. 277, A BILL TO BE ENTITLED AN ACT TO ASSIST STATE AGENCIES IN FILLING VACANCIES WITHIN SHORTAGE OCCUPATIONS, INCLUDING NURSING, with a favorable report.

By Representative Jarrell for the Committee on Transportation:

Committee Substitute for **S.B. 649, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA AIR CARGO AIRPORT AUTHORITY, TO AUTHORIZE THE ISSUANCE OF REVENUE BONDS TO FINANCE AIRPORT AND INDUSTRIAL FACILITIES, TO AUTHORIZE UNITS OF LOCAL GOVERNMENT TO TAKE CERTAIN ACTIONS RELATED TO CARGO AIRPORT COMPLEXES, AND TO MAKE CONFORMING CHANGES TO OTHER STATUTES**, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Jarrell, Committee Amendment No. 1 is adopted.

The bill, as amended, is re-referred to the Committee on Finance.

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 86, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTY OF CURRITUCK TO COLLECT A SOLID WASTE FEE THAT IS BILLED AND PAID IN THE SAME MANNER AS AD VALOREM TAXES AND THAT MAY RESULT IN THE IM-

POSITION OF A LIEN, with a favorable report as to committee substitute bill, which changes the title, and changes the bill from local to public, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for June 14. The original bill is placed on the Unfavorable Calendar.

H.B. 1224, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCENTIVE FOR THE USE OF RECYCLED NEWSPRINT BY REQUIRING PUBLISHERS WHO DO NOT USE A MINIMUM AMOUNT OF RECYCLED NEWSPRINT TO PAY A TAX ON NON-RECYCLED NEWSPRINT, with a favorable report, as amended.

S.B. 483, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 745 OF THE 1989 SESSION LAWS TO INCREASE THE AUTHORIZED PROJECT COST OF A WHOLLY SELF-LIQUIDATING RESEARCH FACILITY TO BE LEASED TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BY THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, with a favorable report.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Beall for the Permanent Subcommittee on Forestry, Horticulture and Wildlife of the Standing Committee on Agriculture, with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 475, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE WILDLIFE RESOURCES COMMISSION TO MODIFY THE BOUNDARIES OF A PORTION OF THE DANIEL BOONE BEAR SANCTUARY LOCATED IN CALDWELL AND AVERY COUNTIES, AND TO ALLOW THE HUNTING OF BEAR AND WILD BOAR FROM THE RIGHTS-OF-WAY OF UNPAVED ROADS IN AVERY, CALDWELL, AND WILKES COUNTIES, with a favorable report.

S.B. 635, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE CRIMINAL PENALTY FOR TAKING MIGRATORY GAME BIRDS WITH AN UNPLUGGED OR IMPROPERLY PLUGGED SHOTGUN, with a favorable report.

By Representative Mercer for the Permanent Subcommittee on Military, Veterans and Indian Affairs of the Standing Committee on State Government, with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 413, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATUTORY DESCRIPTION OF THE STATE FLAG, with a favorable report.

S.B. 427, A BILL TO BE ENTITLED AN ACT TO PROVIDE A GRACE PERIOD FOR MILITARY PERSONNEL TO RENEW OCCUPATIONAL LICENSES EXPIRING DURING DEPLOYMENT OR ACTIVE DUTY, AND TO DISCOUNT FEES, with a favorable report.

By Representative Mercer for the Permanent Subcommittee on Military, Veterans and Indian Affairs:

S.B. 462, A BILL TO BE ENTITLED AN ACT TO ADD AN INDIAN MEMBER FROM THE MEHERRIN TRIBE TO THE COMMISSION ON INDIAN AFFAIRS AND TO MAKE CERTAIN TECHNICAL CHANGES, reported to the Standing Committee on State Government, with a favorable recommendation.

By Representative Mercer for the Permanent Subcommittee on Military, Veterans and Indian Affairs of the Standing Committee on State Government, with approval of standing committee chairman for report to be made directly to the floor of the House:

Committee Substitute for S.B. 659, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO STATUTES GOVERNING NATIONAL GUARD AWARDS, with a favorable report.

By Representative Fletcher for the Permanent Subcommittee on Financial Institutions:

Committee Substitute for S.B. 41, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE SAVINGS INSTITUTIONS LAW, reported to the Standing Committee on Commerce, with a favorable recommendation.

By Representative J. W. Crawford for the Permanent Subcommittee on Water, Air and Soil of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

Committee Substitute for S.B. 449, A BILL TO BE ENTITLED AN ACT TO REQUIRE OPERATING PERMITS FOR COMMUNITY WATER SYSTEMS REGULATED UNDER THE NORTH CAROLINA DRINKING WATER ACT AND TO AUTHORIZE THE COLLECTION OF FEES FOR SUCH PERMITS, with a favorable report and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

S.B. 634, A BILL TO BE ENTITLED AN ACT TO REPEAL ACTS DIRECTING THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO BUILD A REGIONAL BEACH ACCESS FACILITY, with a favorable report.

By Representative Kerr for the Permanent Subcommittee on State Revenue:

S.B. 205, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION FOR THE UTILITY REGULATORY FEE STATUTE, reported to the Standing Committee on Finance, with a favorable recommendation.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representatives Bowen, Bowman, Fitch, and Sam Hunt:

H.B. 1301, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS, is referred to the Committee on Congressional Redistricting.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

Senate Committee Substitute for **H.B. 248, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MOORESVILLE TO LEVY A ROOM OCCUPANCY TAX**, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 13.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 11, 1991

Mr. Speaker:

Pursuant to your message received June 11 that the House of Representatives fails to concur in the Senate Committee Substitute for **H.B. 662, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW PROVIDING FOR THE DISPOSITION BY LAUNDRIES AND DRY CLEANERS OF UNCLAIMED GARMENTS AND TO AMEND THE LAW REGARDING DISPOSAL OF UNCLAIMED PROPERTY BY SHERIFFS**, and requests conferees, the President Pro Tempore appoints: Senator Soles, Chairman; Senators Hyde, Lee, and Simpson on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 23, AN ACT TO PROHIBIT THE USE OF BLUE LIGHTS BY ANYONE OTHER THAN LAW ENFORCEMENT PERSONNEL. (CHAPTER 263)

S.B. 286, AN ACT TO SPECIFY CERTAIN DUTIES OF THE CHAIRMAN OF THE INDUSTRIAL COMMISSION. (CHAPTER 264)

S.B. 422, AN ACT TO MAKE CLARIFYING CHANGES TO THE LAWS CONCERNING THE SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION. (CHAPTER 265)

S.B. 511, AN ACT TO REGULATE HUNTING AND THE USE OF FIREARMS IN WAKE COUNTY. (CHAPTER 266)

S.B. 624, AN ACT TO CLARIFY THE APPLICABILITY OF THE WINERY SPECIAL SHOW PERMIT TO BE RENAMED THE WINE-
RY SPECIAL EVENT PERMIT. (CHAPTER 267)

S.B. 764, AN ACT TO PROVIDE THAT ACTIONS FOR NEGLIGENCE OR DEFICIENT SURVEYING OR PLATTING AGAINST REGISTERED LAND SURVEYORS BE COMMENCED WITHIN THREE YEARS AND IN NO EVENT MORE THAN TEN YEARS FROM THE ACT OR OMISSION GIVING RISE TO THE ACTION, AND TO AMEND THE LAW PROVIDING MAPPING REQUIREMENTS FOR PLATS AND SUBDIVISIONS. (CHAPTER 268)

S.B. 798, AN ACT TO ALLOW LOCAL SCHOOL BOARDS TO DEVELOP POLICIES REGARDING CORPORAL PUNISHMENT IN THEIR SCHOOLS. (CHAPTER 269)

H.B. 5, AN ACT TO RAISE THE MINIMUM WAGE AND TO AUTHORIZE A TRAINING WAGE. (CHAPTER 270)

H.B. 52, AN ACT TO REGULATE FOREIGN CREDIT UNIONS. (CHAPTER 271)

H.B. 282, AN ACT TO EXTEND THE EXPIRATION DATE FOR PRIVATE CONTRACT PARTICIPATION BY THE DEPARTMENT OF TRANSPORTATION. (CHAPTER 272)

H.B. 416, AN ACT TO MAKE TECHNICAL, CLARIFYING, AND CORRECTIVE CHANGES TO THE CHILD DAY CARE LAW. (CHAPTER 273)

H.B. 421, AN ACT TO CLARIFY G.S. 13-1, TO RESTORE THE CITIZENSHIP OF PERSONS CONVICTED IN ANOTHER STATE ON THE SAME BASIS AS PERSONS CONVICTED IN THIS STATE OR IN FEDERAL COURT, AND TO SIMPLIFY THE PROCEDURE FOR FILING THE CERTIFICATE OF RESTORATION AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (CHAPTER 274)

H.B. 449, AN ACT TO STRENGTHEN THE SEDIMENTATION POLLUTION CONTROL ACT. (CHAPTER 275)

H.B. 855, AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW REGARDING BENEFIT CHARGES TO EMPLOYER ACCOUNTS. (CHAPTER 276)

H.B. 901, AN ACT TO CLARIFY THE AUTHORITY OF COUNTIES AND CITIES TO PROVIDE DEFERRED COMPENSATION BENEFITS TO EMPLOYEES. (CHAPTER 277)

H.B. 928, AN ACT TO ELIMINATE BOND IN ACTIONS WHERE THE STATE, A MUNICIPALITY OR A COUNTY IS THE PLAINTIFF. (CHAPTER 278)

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 356**, A BILL TO BE ENTITLED AN ACT MAKING A QUALIFIED EXCEPTION FROM THE PUBLIC RECORDS ACT FOR CERTAIN GEOGRAPHICAL INFORMATION SYSTEMS.

On motion of Representative Gamble, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 782**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF MOORESVILLE TO EXERCISE EXTRATERRITORIAL LAND-USE REGULATION WITHIN ONE MILE OF ITS SATELLITE CORPORATE LIMITS AND TO ALLOW THE CITIES OF STANLEY AND MOUNT HOLLY TO EXERCISE THEIR EXTRATERRITORIAL JURISDICTION NOT MORE THAN TWO MILES BEYOND THEIR CORPORATE LIMITS.

Representative Brawley moves that the House do concur in the Senate committee substitute.

Representative Abernethy moves that the Senate committee substitute bill be withdrawn from the Calendar and re-referred to the Committee on Local and Regional Government I.

A division having been called, the motion carries by electronic vote (58-42).

Representative Albertson having voted with the prevailing side, moves that the vote by which the bill was withdrawn from the Calendar and re-referred to the Committee on Local and Regional Government I be reconsidered.

A division having been called, the motion to reconsider the vote by which the bill was re-referred to committee carries by electronic vote (71-34).

The motion before the House is the concurrence in the Senate committee substitute.

A division having been called, the motion by Representative Brawley that the House do concur in the Senate committee substitute carries, by electronic vote (56-34), and the bill is ordered enrolled.

Committee Substitute for **H.B. 442**, A BILL TO BE ENTITLED AN ACT TO REQUIRE NOTIFICATION TO THE DISTRICT ATTORNEY, THE VICTIM, THE VICTIM'S FAMILY, AND THE ARRESTING LAW ENFORCEMENT AGENCY WHENEVER A PRISONER IS BEING CONSIDERED FOR PAROLE.

On motion of Representative Wicker, the House concurs in Senate Amendment No. 1 by electronic vote (101-1).

On motion of Representative Wicker, the House concurs in Senate Amendment No. 2, by electronic vote (98-0), and the bill is ordered enrolled.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representatives Diamont and Nesbitt for the Committee on Appropriations:

H.B. 279, A BILL TO BE ENTITLED AN ACT TO PROVIDE HEALTH BENEFITS FOR HANDICAPPED DEPENDENTS OF TEACHERS AND STATE EMPLOYEES PREVIOUSLY EXCLUDED FROM COVERAGE BY THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for June 14. The original bill is placed on the Unfavorable Calendar.

H.B. 334, A BILL TO BE ENTITLED AN ACT REGARDING ANNUAL VACATION LEAVE FOR TEACHERS, with a favorable report and recommendation that the bill be re-referred to the Committee on Rules, Appointments and Calendar.

H.B. 414, A BILL TO BE ENTITLED AN ACT TO RAISE THE MAXIMUM AMOUNT AND TO LOWER THE SERVICE REQUIREMENT FOR ELIGIBILITY IN THE REGISTER OF DEEDS' SUPPLEMENTAL PENSION FUND, with a favorable report.

H.B. 1077, A BILL TO BE ENTITLED AN ACT TO CREATE A STUDY ON ACCESS TO HEALTH INSURANCE, with a favorable report and recommendation that the bill be re-referred to the Committee on Rules, Appointments and Calendar.

CALENDAR (continued)

Senate Committee Substitute for **H.B. 991, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIAL RULES FOR INTERNATIONAL COMMERCIAL ARBITRATIONS.**

On motion of Representative Hardaway, the House concurs in the Senate committee substitute, by electronic vote (86-0), and the bill is ordered enrolled.

S.B. 399, A BILL TO BE ENTITLED AN ACT TO REDUCE FROM SIX TO THREE MONTHS THE TIME FOR PRESENTATION OF CLAIMS AGAINST A DECEDENT'S ESTATE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its third reading, by electronic vote (89-0), and is ordered enrolled.

S.B. 516, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES' ADOPTION OF STANDARDS FOR SERVICE DELIVERY TO DEPARTMENT OF CORRECTION INMATES.

On motion of Representative Holt, consideration of the bill is postponed until June 14.

S.B. 744, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE EXPUNCTION OF THE RECORD OF A DEFENDANT NOT

PREVIOUSLY CONVICTED OF A FELONY WHEN CRIMINAL CHARGES AGAINST THE DEFENDANT ARE DISMISSED OR THERE IS A FINDING OF NOT GUILTY, passes its second reading by electronic vote (70-16).

Representative Miller objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **S.B. 389**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE NORTH CAROLINA MARINE SCIENCE COUNCIL, TO CREATE THE NORTH CAROLINA COUNCIL ON OCEAN AFFAIRS, AND TO REQUIRE THE OFFICE OF MARINE AFFAIRS TO ADMINISTER THE NORTH CAROLINA AQUARIUMS.

On motion of Representative Gottovi, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (90-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

Committee Substitute for **S.B. 126**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATE EFFORT TO PROVIDE REMEDIATION, passes its second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 594**, A BILL TO BE ENTITLED AN ACT RELATING TO ELIGIBILITY TO SERVE ON A COMMUNITY COLLEGE BOARD OF TRUSTEES, passes its second reading, by electronic vote (95-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H.B. 176, A BILL TO BE ENTITLED AN ACT ESTABLISHING A METHOD FOR SETTING THE FEES PAID TO CONTRACT AGENTS OF THE DIVISION OF MOTOR VEHICLES, passes its second reading, by electronic vote (95-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 384, A BILL TO BE ENTITLED AN ACT TO PROVIDE GREATER FINANCIAL FLEXIBILITY TO THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL.

On motion of Representative Barnes, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 725, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELIGIBILITY FOR GRANTS UNDER THE VOLUNTEER RESCUE/EMS FUND, passes its second reading, by electronic vote (95-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 875, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FISCAL NOTES ON LEGISLATION CAUSING A NET INCREASE IN INCARCERATION.

On motion of Representative Barnes, Committee Amendment No. 1 is adopted.

Responding to inquiry by Representative Pope, the Speaker rules the bill is eligible for passage this session.

The bill, as amended, passes its second reading by electronic vote (93-8).

Representative Pope objects to the third reading. The bill remains on the Calendar.

Representative Pope withdraws his objection to the third reading.

Representative Rhyne objects to the third reading. The bill remains on the Calendar.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Greenwood for the Committee on Pensions and Retirement:

H.B. 31, A BILL TO BE ENTITLED AN ACT TO PERMIT INJURED FIREMEN TO RECEIVE DISABILITY PAYMENTS UNDER THE NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AFTER ONE YEAR'S SERVICE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 235, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING LAW ENFORCEMENT OFFICER DISABILITY RETIREMENT, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 612, A BILL TO BE ENTITLED AN ACT TO CLARIFY ELIGIBILITY FOR SALARY CONTINUATION BENEFITS FOR CERTAIN STATE LAW ENFORCEMENT OFFICERS, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H.B. 692, A BILL TO BE ENTITLED AN ACT TO PROVIDE MONTHLY DISABILITY BENEFITS FOR MEMBERS OF THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND WHO ARE DISABLED FOR REASONS OTHER THAN THE DISCHARGE OF THEIR OFFICIAL DUTIES, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H.B. 744, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL BOARDS OF EDUCATION TO ESTABLISH SICK LEAVE BANKS FOR PUBLIC SCHOOL EMPLOYEES, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H.B. 943, A BILL TO BE ENTITLED AN ACT TO ALLOW STATE EMPLOYEES RETIREMENT SERVICE CREDIT FOR ACCUMULATED VACATION IN EXCESS OF THIRTY DAYS, with an unfavorable report.

S.B. 312, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TEACHERS MAY PARTICIPATE IN THE PUBLIC EMPLOYEES' COMPENSATION PLAN, with a favorable report.

By Representative R. Hunter for the Committee on Judiciary III:

S.B. 343, A BILL TO BE ENTITLED AN ACT AMENDING THE ALCOHOLIC BEVERAGE CONTROL LAWS, with a favorable report as to House committee substitute bill, unfavorable as to Senate bill.

The House committee substitute bill is placed on the Calendar for June 14. The Senate bill is placed on the Unfavorable Calendar.

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 501, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PUBLIC ENTERPRISE LAW WITH RESPECT TO STORMWATER UTILITIES ESTABLISHED BY CITIES AND COUNTIES AND TO GIVE WATER AND SEWER AUTHORITIES THE ABILITY TO OPERATE AND FINANCE STORMWATER UTILITIES, with a favorable report, as amended.

H.B. 1222, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE CLEANUP OF LEAKING PETROLEUM UNDERGROUND STORAGE TANKS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for June 14. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

S.B. 269, A BILL TO BE ENTITLED AN ACT TO ALLOW THE HIGHWAY FUND TO BE REIMBURSED BY THE HIGHWAY TRUST FUND FOR THE AMOUNT OF HIGHWAY FUND REVENUE USED TO MATCH FEDERAL FUNDS APPLIED TO A HIGHWAY TRUST FUND PROJECT, passes its second reading by electronic vote (101-0).

Representative Justus objects to the third reading. The bill remains on the Calendar.

Representative Justus withdraws his objection to the third reading.

The bill passes its third reading and is ordered enrolled.

House Committee Substitute for **S.B. 522**, A BILL TO BE ENTITLED AN ACT TO TO CREATE THE NORTH CAROLINA TRAVEL AND TOURISM BOARD.

On motion of Representative Redwine, consideration of the bill is postponed until June 13.

Committee Substitute for **S.B. 377**, A BILL TO BE ENTITLED AN ACT TO ALLOW DISCRETION BY THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AS TO WHETHER TO SEEK FEDERAL APPROVAL OF ANY INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE CLEAN-UP AND AS TO WHETHER ENVIRONMENTAL PERMITS ARE REQUIRED FOR CLEANUPS CONDUCTED ENTIRELY ON-SITE, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

On motion of Representative Jack Hunt, seconded by Representative Oldham, the House adjourns at 3:40 p.m. to reconvene June 13 at 12:00 noon.

EIGHTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Thursday, June 13, 1991

The House meets at 12:00 noon pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of June 12 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Gardner and Kennedy for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lutz for the Committee on Local and Regional Government II:

H.B. 623, A BILL TO BE ENTITLED AN ACT TO ALLOW COLUMBUS COUNTY AND BRUNSWICK COUNTY TO ENTER INTO LONG-TERM SOLID WASTE DISPOSAL CONTRACTS AND FRANCHISE AGREEMENTS, with recommendation that the House concur.

House Committee Substitute for **S.B. 629**, A BILL TO BE ENTITLED AN ACT TO EXEMPT UNION AND COLUMBUS COUNTIES FROM CERTAIN STATUTORY REQUIREMENTS IN THE CONSTRUCTION OF COUNTY DETENTION FACILITIES, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

House Committee Substitute Bill No. 2 is placed on the Calendar for June 17. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Mavretic for the Committee on State Government:

S.B. 183, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE AGENCIES STUDY HOW BEST TO COORDINATE STATE AGENCIES' PROGRAMS AND SERVICES FOR THE HOMELESS, with a favorable report, as amended.

S.B. 241, A BILL TO BE ENTITLED AN ACT TO ALLOW NORTH CAROLINA AMATEUR SPORTS TO USE STATE TRUCKS AND VANS FOR THE STATE GAMES OF NORTH CAROLINA, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

On motion of Representative Mavretic, the rules are suspended and the House committee substitute bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 306, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING STATE AND FEDERAL SURPLUS PROPERTY, with a favorable report.

S.B. 385, A BILL TO BE ENTITLED AN ACT TO PROTECT THE SECURITY OF OCCUPATIONAL LICENSING EXAMINATIONS, with a favorable report.

S.B. 400, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF CULTURAL RESOURCES SHALL ISSUE ARCHAEOLOGICAL PERMITS, with a favorable report.

S.B. 788, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ENERGY DIVISION OF THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO STUDY THE USE OF CLEAN TRANSPORTATION FUELS IN STATE-OWNED VEHICLES AND TO DEVELOP A DEMONSTRATION PROJECT USING NATURAL GAS AS THE FUEL FOR STATE-OWNED VEHICLES, with a favorable report.

By Representatives Hackney and Miller for the Committee on Finance:

Committee Substitute for H.B. 220, A BILL TO BE ENTITLED AN ACT TO INCREASE MEDICAL EXAMINER'S FEES TO MEET INCREASED COSTS AND TO ASSESS THE FEES AGAINST THE COUNTY WHERE THE DEATH OR FATAL INJURY OCCURRED IF THE DECEASED IS A RESIDENT OF THAT COUNTY, with a favorable report.

Committee Substitute for H.B. 433, A BILL TO BE ENTITLED AN ACT TO REGULATE MULTIPLE EMPLOYER WELFARE ARRANGEMENTS THAT ARE NOT SUBJECT TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT, with a favorable report.

H.B. 770, A BILL TO BE ENTITLED AN ACT TO CREATE A CATERING SERVICE PERMIT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for June 17. The original bill is placed on the Unfavorable Calendar.

H.B. 985, A BILL TO BE ENTITLED AN ACT TO CLARIFY A CITY'S AUTHORITY TO REQUIRE PARTICIPATION IN ANY COLLECTION AND DISPOSAL SERVICES PROVIDED BY THE CITY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for June 17. The original bill is placed on the Unfavorable Calendar.

H.B. 1018, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE JOINT MUNICIPAL POWER AGENCIES TO ENCUMBER CERTAIN PROPERTY, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Committee Substitute Bill No. 2 is placed on the Calendar for June 17. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 1132, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A SINGLE COUNTY TO ORGANIZE A WATER AND SEWER AUTHORITY PURSUANT TO CHAPTER 162A OF THE GENERAL STATUTES, with a favorable report.

S.B. 150, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR THE PRODUCTION AND SALE OF FALLOW DEER, with a favorable report.

S.B. 341, A BILL TO BE ENTITLED AN ACT TO INCREASE VITAL RECORDS FEES AND TO ESTABLISH A NONREVERTING VITAL RECORDS AUTOMATION FUND, with a favorable report.

Committee Substitute for **S.B. 412**, A BILL TO BE ENTITLED AN ACT TO AMEND CERTIFICATION REQUIREMENTS FOR WATER TREATMENT FACILITY OPERATORS, with a favorable report.

S.B. 469, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ROCKINGHAM COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report.

Committee Substitute for **S.B. 479**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF SMITHFIELD TO INCLUDE THE JOHNSTON COUNTY COUNTRY CLUB, with a favorable report.

Committee Substitute for **S.B. 501**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DUPLIN COUNTY TO ACQUIRE CERTAIN PROPERTY FOR AN INDUSTRIAL SITE, with a favorable report.

Committee Substitute for **S.B. 549**, A BILL TO BE ENTITLED AN ACT AMENDING ORANGE COUNTY'S AUTHORITY RELATING TO IMPACT FEES, with a favorable report.

Committee Substitute for **S.B. 550**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN SCHOOL DISTRICT BONDS AND TAXES, with a favorable report.

Committee Substitute for **S.B. 612**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MERGER AND CONSOLIDATION OF THE SCHOOL ADMINISTRATIVE UNITS IN NASH COUNTY AND THE CITY OF ROCKY MOUNT, with a favorable report, as amended.

S.B. 622, A BILL TO BE ENTITLED AN ACT AUTHORIZING ORANGE COUNTY TO LEVY AN OCCUPANCY TAX AND CHAPEL HILL AND CARRBORO TO INCREASE THEIR MOTOR VEHICLE TAXES, with a favorable report, as amended.

By Representative Michaux for the Committee on Courts, Justice, Constitutional Amendments and Referenda:

S.B. 488, A BILL TO BE ENTITLED AN ACT TO REQUIRE REGISTRATION OFFICIALS TO FORWARD TO COUNTY BOARDS OF ELECTIONS COMPLETED APPLICATIONS TO REGISTER NO LATER THAN SEVENTY-TWO HOURS AFTER THE CLOSE OF REGISTRATION, with a favorable report.

S.B. 657, A BILL TO BE ENTITLED AN ACT TO AMEND THE WORKERS' COMPENSATION ACT REGARDING THE RIGHTS AND REMEDIES OF AN EMPLOYEE, HIS EMPLOYER, AND THE EMPLOYER'S INSURANCE COMPANY AGAINST THIRD PARTIES, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for June 17. The original bill is placed on the Unfavorable Calendar.

By Representatives Diamont and Nesbitt for the Committee on Appropriations:

Committee Substitute for **H.B. 231**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE AGRICULTURE, FORESTRY, AND SEAFOOD AWARENESS STUDY COMMISSION TO STUDY THE SALE, USE, AND TRANSPORT OF ARSENIC PESTICIDES, without prejudice, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Appointments and Calendar.

H.B. 366, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT OF SICK LEAVE CREDITABLE TOWARD RETIREMENT FOR LOCAL GOVERNMENT EMPLOYEES, with a favorable report.

H.B. 383, A BILL TO BE ENTITLED AN ACT TO MANAGE FINANCES BETTER AT THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL, without prejudice, and recommendation that the bill be re-referred to the Committee on Finance.

H.B. 999, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A MEMBER OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE TIME LOST DUE TO INTERRUPTED SERVICE FOR MATERNITY LEAVE, with a favorable report.

Committee Substitute for **H.B. 1098**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE FEASIBILITY OF TOLL ROADS IN NORTH CAROLINA AND REPORT TO THE GENERAL ASSEMBLY, without prejudice, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Appointments and Calendar.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Wilmoth for the Permanent Subcommittee on State Parks, Facilities and Property of the Standing Committee on State government, with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 213, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN LAND IN HAMMOCKS BEACH STATE PARK FROM THE STATE NATURE AND HISTORIC PRESERVE AND THE STATE PARKS SYSTEM TO ALLOW THE EXCHANGE OF PROPERTY FOR BOUNDARY MANAGEMENT, with a favorable report.

By Representative Barnhill for the Permanent Subcommittee on Health and Mental Health of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 376, A BILL TO BE ENTITLED AN ACT ADOPTING THE RECOMMENDATIONS OF THE MENTAL HEALTH STUDY COMMISSION CONCERNING MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE SERVICES IN JAILS, with a favorable report.

By Representative Barnhill for the Permanent Subcommittee on Health and Mental Health:

S.B. 758, A BILL TO BE ENTITLED AN ACT PERTAINING TO TRAINING REQUIREMENTS FOR TANNING BED OPERATORS, reported to the Standing Committee on Human Resources, with a favorable recommendation as to proposed House committee substitute bill, unfavorable as to original bill.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representatives Warner, Beard, DeVane, Hurley, Jeralds, and McAllister:

H.J.R. 1302, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF SIPPION BURTON, JR., CIVIL RIGHTS LEADER, is referred to the Committee on Rules, Appointments and Calendar.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 126, AN ACT TO INCREASE THE STATE EFFORT TO PROVIDE REMEDIATION. (CHAPTER 279)

S.B. 269, AN ACT TO ALLOW THE HIGHWAY FUND TO BE REIMBURSED BY THE HIGHWAY TRUST FUND FOR THE AMOUNT OF HIGHWAY FUND REVENUE USED TO MATCH FEDERAL FUNDS APPLIED TO A HIGHWAY TRUST FUND PROJECT. (CHAPTER 280)

S.B. 377, AN ACT TO ALLOW DISCRETION BY THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AS TO WHETHER TO SEEK FEDERAL APPROVAL OF ANY INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE CLEANUP AND AS TO WHETHER ENVIRONMENTAL PERMITS ARE REQUIRED FOR CLEANUPS CONDUCTED ENTIRELY ON-SITE. (CHAPTER 281)

S.B. 399, AN ACT TO REDUCE FROM SIX TO THREE MONTHS THE TIME FOR PRESENTATION OF CLAIMS AGAINST A DECEDENT'S ESTATE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (CHAPTER 282)

S.B. 594, AN ACT RELATING TO ELIGIBILITY TO SERVE ON A COMMUNITY COLLEGE BOARD OF TRUSTEES. (CHAPTER 283)

S.B. 769, AN ACT TO ASSURE THAT THE NORTH CAROLINA WORKERS' COMPENSATION ACT EXTENDS TO INJURIES OUTSIDE THE STATE FOR EMPLOYEES WHOSE PRINCIPAL PLACE OF EMPLOYMENT IS IN NORTH CAROLINA. (CHAPTER 284)

H.B. 356, AN ACT MAKING A QUALIFIED EXCEPTION FROM THE PUBLIC RECORDS ACT FOR CERTAIN GEOGRAPHICAL INFORMATION SYSTEMS. (CHAPTER 285)

H.B. 412, AN ACT TO ENCOURAGE RECYCLING OF HAZARDOUS WASTE. (CHAPTER 286)

H.B. 422, AN ACT TO AMEND THE DEFINITION OF THE TERM "OTHER WASTE" AS USED IN THE WATER AND AIR POLLUTION STATUTES. (CHAPTER 287)

H.B. 442, AN ACT TO REQUIRE NOTIFICATION TO THE DISTRICT ATTORNEY, THE VICTIM, THE VICTIM'S FAMILY, AND THE ARRESTING LAW ENFORCEMENT AGENCY WHENEVER A PRISONER IS BEING CONSIDERED FOR PAROLE. (CHAPTER 288)

H.B. 782, AN ACT TO ALLOW THE TOWN OF MOORESVILLE TO EXERCISE EXTRATERRITORIAL LAND-USE REGULATION WITHIN ONE MILE OF ITS SATELLITE CORPORATE LIMITS AND TO ALLOW THE CITIES OF STANLEY AND MOUNT HOLLY TO EXERCISE THEIR EXTRATERRITORIAL JURISDICTION NOT MORE THAN TWO MILES BEYOND THEIR CORPORATE LIMITS. (CHAPTER 289)

H.B. 861, AN ACT TO PROVIDE THAT MOTOR VEHICLES SHALL STOP FOR SCHOOL BUSES EXHIBITING FLASHING RED STOPLIGHTS. (CHAPTER 290)

H.B. 967, AN ACT TO PERMIT CERTAIN CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA TO BECOME MEMBERS OF A JOINT MUNICIPAL ASSISTANCE AGENCY AND TO PERMIT ASSOCIATE MEMBERSHIPS TO SUCH AGENCY. (CHAPTER 291)

H.B. 991, AN ACT TO PROVIDE SPECIAL RULES FOR INTERNATIONAL COMMERCIAL ARBITRATIONS. (CHAPTER 292)

CALENDAR

Action is taken on the following:

House Committee Substitute for **S.B. 241**, A BILL TO BE ENTITLED AN ACT TO ALLOW NORTH CAROLINA AMATEUR SPORTS TO USE STATE TRUCKS AND VANS FOR THE STATE GAMES OF NORTH CAROLINA, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Senate Committee Substitute for **H.B. 248**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MOORESVILLE TO LEVY A ROOM OCCUPANCY TAX.

On motion of Representative Brawley, the House concurs in the Senate committee substitute, by electronic vote (100-2), and the bill is ordered enrolled.

H.B. 1298, A BILL TO BE ENTITLED AN ACT AFFECTING THE ELECTION OF THE SAMPSON COUNTY BOARD OF COMMISSIONERS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S.B. 139, A BILL TO BE ENTITLED AN ACT TO ALLOW BESSEMER CITY TO REDISTRICT ITS RESIDENCY WARDS TO THE EXTENT PERMISSIBLE BY FEDERAL CONSTITUTIONAL AND STATUTORY PROVISIONS, SO AS TO ALLOW MAXIMIZATION OF MINORITY VOTING STRENGTH, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 475, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE WILDLIFE RESOURCES COMMISSION TO MODIFY THE BOUNDARIES OF A PORTION OF THE DANIEL BOONE BEAR SANCTUARY LOCATED IN CALDWELL AND AVERY COUNTIES, AND TO ALLOW THE HUNTING OF BEAR AND WILD BOAR FROM THE RIGHTS-OF-WAY OF UNPAVED ROADS IN AVERY, CALDWELL, AND WILKES COUNTIES**, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H.B. 1224, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCENTIVE FOR THE USE OF RECYCLED NEWSPRINT BY REQUIRING PUBLISHERS WHO DO NOT USE A MINIMUM AMOUNT OF RECYCLED NEWSPRINT TO PAY A TAX ON NON-RECYCLED NEWSPRINT.

On motion of Representative Mavretic, consideration of the bill is postponed until June 18.

H.B. 501, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PUBLIC ENTERPRISE LAW WITH RESPECT TO STORMWATER UTILITIES ESTABLISHED BY CITIES AND COUNTIES AND TO GIVE WATER AND SEWER AUTHORITIES THE ABILITY TO OPERATE AND FINANCE STORMWATER UTILITIES.

Representative Hackney requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

On motion of Representative Hurley, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black,

Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Culp, Dawkins, Decker, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Fussell, Gamble, Gist, Gottovi, Grady, Gray, Greenwood, Grimmer, Hasty, Hege, Hensley, Hightower, Holmes, Howard, Huffman, Judy Hunt, Sam Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 98.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Gardner and Kennedy - 2.

Excused vote: Representative Hackney.

S.B. 744, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE EXPUNCTION OF THE RECORD OF A DEFENDANT NOT PREVIOUSLY CONVICTED OF A FELONY WHEN CRIMINAL CHARGES AGAINST THE DEFENDANT ARE DISMISSED OR THERE IS A FINDING OF NOT GUILTY.

On motion of Representative Holt, consideration of the bill is postponed until June 18.

REPRESENTATIVE COLTON, SPEAKER PRO TEMPORE, PRESIDING.

S.B. 483, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 745 OF THE 1989 SESSION LAWS TO INCREASE THE AUTHORIZED PROJECT COST OF A WHOLLY SELF-LIQUIDATING RESEARCH FACILITY TO BE LEASED TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BY THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Dawkins, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gist, Gottovi, Grady, Gray, Grimmer, Hackney, Hasty, Hege, Hensley, Hightower, Holmes, Howard, Huffman, Judy Hunt, Sam Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 98.

Voting in the negative: None.

Excused absences: Representatives Gardner and Kennedy - 2.

H.B. 875, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FISCAL NOTES ON LEGISLATION CAUSING A NET INCREASE IN INCARCERATION.

Representative Huffman offers Amendment No. 2 which is adopted by electronic vote (98-0).

The bill, as amended, passes its third reading, by electronic vote (92-0), and is ordered engrossed and sent to the Senate.

H.B. 963, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE AUTHORITY OF LOCAL BOARDS TO REVISE RESIDENCY DISTRICTS.

On motion of Representative Redwine, Committee Amendment No. 1 is adopted.

On motion of Representative Redwine, Committee Amendment No. 2 is adopted. This amendment changes the title.

SPEAKER BLUE PRESIDING.

The bill, as amended, passes its second reading, by electronic vote (101-0), and the title having been changed remains on the Calendar.

SUBCOMMITTEE REFERRAL

Representative Hardaway, Chairman for the Standing Committee on Commerce, refers:

S.B. 336, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE NORTH CAROLINA MEDICAL DATA-BASE COMMISSION, to the Permanent Subcommittee on Insurance.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Judy Hunt for the Committee on Public Utilities:

H.B. 1039, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE CONSTRUCTION OF FACILITIES IN AND THE EXTENSION OF NATURAL GAS SERVICE TO UNSERVED AREAS AND TO REVISE THE PROCEDURES FOR GAS COST ADJUSTMENTS FOR NATURAL GAS LOCAL DISTRIBUTION COMPANIES, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

On motion of the Chair, the House recesses at 1:00 p.m.

RECESS

The House meets at 4:00 p.m. pursuant to recess and is called to order by the Speaker.

CALENDAR (continued)

Committee Substitute No. 2 for **H.B. 347, A BILL TO BE ENTITLED AN ACT TO REQUIRE MAMMOGRAM AND PAP SMEAR COVERAGE IN HEALTH AND ACCIDENT INSURANCE POLICIES, IN HOSPITAL OR MEDICAL SERVICES PLANS, AND IN HMO PLANS**, passes its second reading by electronic vote (107-1).

Representative Barnes objects to the third reading. The bill remains on the Calendar.

Representative Barnes withdraws her objection to the third reading.

Representative Hardaway offers Amendment No. 1.

Representative Hardaway calls the previous question on the amendment and the call is sustained.

Amendment No. 1 is adopted by electronic vote (83-15).

The bill, as amended, passes its third reading, by electronic vote (102-0), and is ordered engrossed and sent to the Senate.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

Senate Committee Substitute for House Committee Substitute No. 2 for **H.B. 83, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET AND EXPANSION BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR OTHER PURPOSES; AND TO PROVIDE REVENUES FOR STATE AND LOCAL NEEDS**, is returned for concurrence in Senate committee substitute, as amended, which changes the title.

On motion of Representative Miller, the House does not concur in the Senate committee substitute, as amended, and a conference committee is requested.

The Speaker appoints as conferees on the part of the House, Representative Hackney, Chairman; Representatives Miller, Nesbitt, Diamont, Fitch, Sam Hunt, Jeralds, Colton, Jack Hunt, Wicker, Barnes, DeVane, Robinson, and Wood, and the Senate is so notified by Special Message.

SUSPENSION OF RULE 28(e)

On motion of the Chair, Rule 28(e) is suspended in order that conferees on **H.B. 83** may meet during the weekend.

NOTICE TO RECALL BILL

Representative Mavretic rises to notify the House of his intention in three days to make a motion under Rule 39 to recall **H.B. 1113, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE LOTTERY, TO DEDICATE THE PROCEEDS OF THE LOTTERY TO CAPITAL PROJECTS, AND TO LET THE PEOPLE DECIDE WHETHER TO CONTINUE THE LOTTERY AFTER IT HAS OPERATED FOR FIVE YEARS**, from the Committee on Courts, Justice, Constitutional Amendments and Referenda in order that the bill might be returned to the floor of the House for further consideration. Representative Mavretic also delivers a notice of his intention to Representative Michaux, Chairman of the Committee on Courts, Justice, Constitutional Amendments and Referenda.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Hasty for the Committee on Economic Expansion:

S.B. 724, A BILL TO BE ENTITLED AN ACT AMENDING THE UNEMPLOYMENT INSURANCE LAW TO ADD THE DEFINITION OF "EXTENDED BASE PERIOD", with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate bill.

The House committee substitute bill is placed on the Calendar for June 17. The original bill is placed on the Unfavorable Calendar.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Hightower for the Permanent Subcommittee on Hazardous Waste of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

Committee Substitute for **S.B. 359, A BILL TO BE ENTITLED AN ACT TO TRANSFER AUTHORITY TO SET FEES FOR SCREENING TESTS FOR ASBESTOSIS OR SILICOSIS TO THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES**, with a favorable report, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

By Representative Barnhill for the Permanent Subcommittee on Health and Mental Health of the Standing Committee on Human Resources, with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 372, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW RELATING TO EXEMPTIONS TO CONFIDENTIALITY OF MENTAL HEALTH CLIENTS' RECORDS, with a favorable report.

RE-REFERRALS

On motion of Representative Hasty, **S.B. 287, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE EMPLOYMENT**

SECURITY LAW PERTAINING TO CONTRIBUTIONS AND COVERAGE, is withdrawn from the Permanent Subcommittee on Labor Relations and Employment and re-referred to the Standing Committee on Economic Expansion.

On motion of Representative Hasty, **S.B. 319, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW PERTAINING TO WAIVER OF LATE FILING PENALTIES**, is withdrawn from the Permanent Subcommittee on Labor Relations and Employment and re-referred to the Standing Committee on Economic Expansion.

On motion of Representative Hasty, **S.B. 320, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE EMPLOYMENT SECURITY LAW**, is withdrawn from the Permanent Subcommittee on Labor Relations and Employment and re-referred to the Standing Committee on Economic Expansion.

On motion of Representative Hasty, **S.B. 321, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES TO THE EMPLOYMENT SECURITY LAW**, is withdrawn from the Permanent Subcommittee on Labor Relations and Employment and re-referred to the Standing Committee on Economic Expansion.

On motion of Representative Jack Hunt, **S.B. 620, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MAINTENANCE OF EFFORT PROVISION FOR THE PUBLIC SCHOOLS OF ROBESON COUNTY**, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Finance.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Judy Hunt for the Committee on Public Utilities:

H.B. 1016, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ISSUANCE OF BONDS FOR FINANCING GAS SYSTEMS OR FACILITIES, without prejudice as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative J. W. Crawford for the Permanent Subcommittee on Water, Air and Soil of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

Committee Substitute for **S.B. 386, A BILL TO BE ENTITLED AN ACT TO AMEND THOSE PORTIONS OF THE GENERAL STATUTES THAT LIMIT THE ENVIRONMENTAL MANAGEMENT**

COMMISSION TO THE ADOPTION OF ENVIRONMENTAL RULES REGARDING WATER QUALITY AND AIR QUALITY THAT ARE NO MORE RESTRICTIVE THAN FEDERAL ENVIRONMENTAL REGULATIONS TO PROVIDE THAT AN ASSESSMENT OF THE IMPACT OF SUCH RULES BE PREPARED BEFORE SUCH RULES ARE ADOPTED, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for June 17. The Senate committee substitute bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

H.B. 414, A BILL TO BE ENTITLED AN ACT TO RAISE THE MAXIMUM AMOUNT AND TO LOWER THE SERVICE REQUIREMENT FOR ELIGIBILITY IN THE REGISTER OF DEEDS' SUPPLEMENTAL PENSION FUND, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representatives Hackney and Miller for the Committee on Finance:

S.B. 234, A BILL TO BE ENTITLED AN ACT TO PERMIT REGIONAL SOLID WASTE MANAGEMENT AUTHORITIES TO RECEIVE ANNUAL SALES TAX REFUNDS, with a favorable report.

House Committee Substitute for **S.B. 368**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF MONROE TO DISPOSE OF CERTAIN PROPERTY ACQUIRED BY EMINENT DOMAIN AND TO AUTHORIZE A DELAY IN THE 1991 MONROE MUNICIPAL ELECTION, with a favorable report.

S.B. 498, A BILL TO BE ENTITLED AN ACT TO MERGE THE EDGEcombe COUNTY AND TARBORO CITY SCHOOL ADMINISTRATIVE UNITS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for June 18. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Mavretic, **S.B. 612**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MERGER AND CONSOLIDATION OF THE SCHOOL ADMINISTRATIVE UNITS IN NASH COUNTY AND THE CITY OF ROCKY MOUNT, is withdrawn from the Calendar for June 17 and placed on the Calendar for June 18.

On motion of Representative Mavretic, **S.B. 498** is placed on the Calendar after **S.B. 612**.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Fletcher for the Permanent Subcommittee on Financial Institutions of the Standing Committee on Commerce, with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 198, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PROCESSING FEE FOR BAD CHECKS, with a favorable report.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Kennedy for the Committee on Judiciary I:

S.B. 384, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PROCEDURE FOR ISSUING NONRESIDENT NONCOMPLIANCE REPORTS AND TO MAKE CHANGES REGARDING SUSPENSION AND REVOCATION OF DRIVERS LICENSES, with a favorable report as to House committee substitute bill, unfavorable as to Senate bill.

The House committee substitute bill is placed on the Calendar for June 18. The Senate bill is placed on the Unfavorable Calendar.

Representative Jack Hunt moves, seconded by Representative Morgan, that subject to the reading of notices, announcements and the reading of a Special Message, that the House do adjourn. This motion carries.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

June 13, 1991

Mr. Speaker:

Pursuant to your message received June 13, that the House of Representatives fails to concur in Senate Committee Substitute for H.B. 83, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET AND EXPANSION BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR OTHER PURPOSES; TO PROVIDE FOR BUDGET REFORM; AND TO PROVIDE FOR REVENUE RECONCILIATION, with Amendment Nos. 1, 2, 5, 6, and 8 not engrossed, and requests conferees, the President Pro Tempore appoints: Senator Basnight, Chairman; Senators Plyler, Royall, Martin of Pitt, Perdue, Ward, Odom, Murphy, Daniel, Martin of Guilford, Goldston, Richardson, Lee, and Marvin on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The House adjourns, by electronic vote (89-0), at 5:40 p.m. to reconvene Monday, June 17, 1991 at 8:00 p.m.

EIGHTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Monday, June 17, 1991

The House meets at 8:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Hackney, for the Committee on Rules, Appointments and Calendar reports the Journal of June 13 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (85-0).

Leaves of absence are granted Representatives Abernethy, Barbee, N. J. Crawford, Flaherty, Kennedy, Warner, and Wicker for today.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representatives Hackney and Miller for the Committee on Finance:

Committee Substitute for **H.B. 1039**, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE CONSTRUCTION OF FACILITIES IN AND THE EXTENSION OF NATURAL GAS SERVICE TO UNSERVED AREAS AND TO REVISE THE PROCEDURES FOR GAS COST ADJUSTMENTS FOR NATURAL GAS LOCAL DISTRIBUTION COMPANIES, with a favorable report.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Lilley for the Permanent Subcommittee on Ways and Means:

H.B. 1160, A BILL TO BE ENTITLED AN ACT TO REPEAL THE NONRESIDENT BEAR HUNTING LICENSE REQUIREMENT IN ORDER TO PROMOTE RECIPROCITY WITH THE STATE OF TENNESSEE, reported to the Standing Committee on Finance, with a favorable recommendation, as amended.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representatives Bowen, Bowman, Fitch, and Sam Hunt:

H.B. 1303, A BILL TO BE ENTITLED AN ACT TO ESTABLISH HOUSE OF REPRESENTATIVES DISTRICTS AND TO

APPORTION SEATS IN THE HOUSE OF REPRESENTATIVES AMONG DISTRICTS, is referred to the Committee on Legislative and Local Redistricting.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

June 13, 1991

Mr. Speaker:

A message is ordered sent to the House of Representatives informing that Honorable Body that the President Pro Tempore appoints an additional conferee, Senator Hyde, on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved on Senate Committee Substitute for H.B. 83, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET AND EXPANSION BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR OTHER PURPOSES; TO PROVIDE FOR BUDGET REFORM; AND TO PROVIDE FOR REVENUE RECONCILIATION.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

June 13, 1991

Mr. Speaker:

It is ordered that a message be sent your Honorable Body notifying you of the confirmation by the Senate of the following Governor's appointees to the State Personnel Commission, as directed by G.S. 126-2, for terms beginning July 1, 1991, and expiring June 30, 1997: F. Douglas Biddy and Angela R. Massingill.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

June 13, 1991

Mr. Speaker:

It is ordered that a message be sent your Honorable Body notifying you of the confirmation by the Senate of the following Governor's appointees to the Board of Trustees of the Teachers' and State Employees' Retirement System, as directed by G.S. 135-6, for terms

beginning immediately, and expiring April 4, 1995: Donna A. Creech, Shirley Ann Hise, and Kevin Brown.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 13, 1991

Mr. Speaker:

Pursuant to your message received June 10 that the House of Representatives fails to concur in Senate Amendments No. 1 and No. 2 to Committee Substitute for H.B. 659, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING ON, FROM, OR ACROSS THE RIGHT-OF-WAY OF PUBLIC ROADS OR HIGHWAYS IN ONSLOW COUNTY AND TO CHANGE THE LAW REGARDING TRESPASSING ON POSTED LAND IN ONSLOW COUNTY, and requests conferees, the President Pro Tempore appoints: Senator Speed, Chairman; Senators Martin of Pitt and Pollard on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Beard for the Permanent Subcommittee on Insurance:

H.B. 972, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROVISIONS REGULATING "PREFERRED PROVIDERS", reported to the Standing Committee on Commerce, with an unfavorable recommendation.

By Representative Beard for the Permanent Subcommittee on Insurance of the Standing Committee on Commerce, with approval of standing committee chairman for report to be made directly to the floor of the House:

Committee Substitute for **S.B. 39**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NO SAFE DRIVER INCENTIVE PLAN POINTS SHALL BE ASSESSED FOR THE FIRST ACCIDENT WITHIN THREE YEARS IF THERE IS PROPERTY DAMAGE ONLY AND NO MOVING VIOLATION INVOLVED, with a favorable report.

S.B. 227, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM BENEFITS WHICH THE INSURANCE COMMISSIONER MAY AUTHORIZE TO BE PAID BY CERTAIN

FRATERNAL BENEFIT SOCIETIES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for June 19. The original bill is placed on the Unfavorable Calendar.

S.B. 249, A BILL TO BE ENTITLED AN ACT TO REMOVE THE LIMIT ON THE PAYMENT FOR EMERGENCY ROAD SERVICE PROVIDED BY MOTOR CLUBS IN NORTH CAROLINA, with a favorable report.

Committee Substitute for **S.B. 307, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NOTICE OF CANCELLATION OF MOTOR VEHICLE LIABILITY INSURANCE IS NOT REQUIRED IF A NEW POLICY IS ISSUED AT THE SAME TIME THE OLD POLICY IS TERMINATED OR CANCELLED**, with a favorable report.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 33, A BILL TO BE ENTITLED AN ACT TO REGULATE THE BUSINESS OF PROVIDING CREDIT REPAIR SERVICES**, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 18.

H.B. 381, A BILL TO BE ENTITLED AN ACT TO COMPLY WITH CONGRESSIONAL CHANGES IN OSHA, is returned for concurrence in two Senate amendments and placed on the Calendar for June 18.

Senate Committee Substitute for **H.B. 453, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE WAGE AND HOUR ACT**, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 18.

Senate Committee Substitute for **H.B. 587, A BILL TO BE ENTITLED AN ACT TO ALLOW ATLANTIC BEACH, OCEAN ISLE BEACH, SUNSET BEACH, YAUPON BEACH, LONG BEACH, CASWELL BEACH, AND TOPSAIL BEACH TO REGULATE JET SKIING**, is returned for concurrence in Senate committee substitute, which changes the title, and referred to the Committee on Local and Regional Government II.

Senate Committee Substitute for **H.B. 826, A BILL TO BE ENTITLED AN ACT TO INCREASE THE REQUIRED MINIMUM FINANCIAL RESPONSIBILITY FOR PROPERTY DAMAGE AND TO INCREASE OTHER AMOUNTS IN THE MOTOR VEHICLES LAWS THAT ARE DEPENDENT UPON THE AMOUNT OF REQUIRED MINIMUM FINANCIAL RESPONSIBILITY FOR PROPERTY DAMAGE**, is returned for concurrence in Senate committee substitute and referred to the Committee on Commerce.

Senate Committee Substitute for **H.B. 902, A BILL TO BE ENTITLED AN ACT TO REMOVE FARM COVERAGES FROM THE**

JURISDICTION OF THE NORTH CAROLINA RATE BUREAU, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 18.

CALENDAR

Action is taken on the following:

H.B. 623, A BILL TO BE ENTITLED AN ACT TO ALLOW COLUMBUS COUNTY AND BRUNSWICK COUNTY TO ENTER INTO LONG-TERM SOLID WASTE DISPOSAL CONTRACTS AND FRANCHISE AGREEMENTS.

On motion of Representative Mercer, the House concurs in the material Senate amendment on its second roll call reading by the following vote.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barnes, Beall, Black, Bowen, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Esposito, Ethridge, Fitch, Fletcher, Foster, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jerald, Jordan, Justus, Kahl, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McLaughlin, McLawhorn, Mavretic, Mercer, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Redwine, Rhodes, Rhyne, Rogers, Russell, Smith, Tallent, Thompson, Wainwright, Wilmoth, Wilson, Withrow, and Woodard - 87.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Barbee, N. J. Crawford, Flaherty, Kennedy, Warner, and Wicker - 7.

The bill remains on the Calendar for concurrence in Senate amendment on its third roll call reading.

Committee Substitute for **H.B. 630, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REDISTRICTING OF THE BRUNSWICK COUNTY BOARD OF COMMISSIONERS AND THE BRUNSWICK COUNTY BOARD OF EDUCATION**, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 501, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PUBLIC ENTERPRISE LAW WITH RESPECT TO STORMWATER UTILITIES ESTABLISHED BY CITIES AND COUNTIES AND TO GIVE WATER AND SEWER AUTHORITIES THE ABILITY TO OPERATE AND FINANCE STORMWATER UTILITIES.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie,

Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Fletcher, Foster, Gardner, Gottovi, Grady, Gray, Green, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Howard, Huffman, Judy Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kerr, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Smith, Stamey, Tallent, Wainwright, Wilmoth, Wilson, Withrow, and Woodard - 95.

Voting in the negative: Representative Wood.

Excused absences: Representatives Abernethy, Barbee, Flaherty, Kennedy, Warner, and Wicker - 6.

Committee Substitute for H.B. 86, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES AND COUNTIES TO IMPOSE AN AVAILABILITY FEE FOR SOLID WASTE DISPOSAL FACILITIES AND TO BILL AND COLLECT THE FEE IN THE SAME MANNER AS PROPERTY TAXES.

Representative Bowen offers Amendment No. 1 which is adopted.

Representative Gamble calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Barnes, Barnhill, Beard, Black, Bowman, Brawley, Buchanan, Chapin, Church, J. W. Crawford, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Easterling, Ethridge, Fitch, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Gray, Green, Greenwood, Hackney, Hardaway, Hensley, Hightower, Holt, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, Hurley, James, Jarrell, Jeralds, Jones, Jordan, Justus, Kerr, Lewis, Lilley, Luebke, Lutz, McAllister, McGee, McLawhorn, Mercer, Michaux, Miller, Nesbitt, Oldham, Payne, Privette, Ramsey, Rhodes, Robinson, Rogers, Smith, Stamey, Stewart, Thompson, Wainwright, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 74.

Voting in the negative: Representatives Balmer, Beall, Bowen, Bowie, Brown, Brubaker, Creech, Culp, Decker, Dockham, Esposito, Grimmer, Hege, Holmes, Howard, Huffman, Isenhower, Kahl, Ligon, Lineberry, Loflin, McLaughlin, Nye, Pope, Redwine, Rhyne, and Wood - 27.

Excused absences: Representatives Abernethy, Barbee, Flaherty, Kennedy, Russell, and Warner - 6.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Dawkins for the Committee on Judiciary II:

Committee Substitute for **S.B. 155**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATIVE RULE-MAKING PROCESS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for June 19. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 315, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ROLE OF PHYSICIANS IN PROMOTING HIGHWAY SAFETY, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for June 19. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

Committee Substitute for **H.B. 1222**, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE CLEANUP OF LEAKING PETROLEUM UNDERGROUND STORAGE TANKS, TO INCREASE THE PER GALLON FUEL EXCISE TAX, AND TO DEDICATE THE PROCEEDS OF THE TAX INCREASE TO THE CLEANUP OF LEAKING PETROLEUM UNDERGROUND STORAGE TANKS.

On motion of Representative Nesbitt consideration of the bill is postponed until June 18.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 139, AN ACT TO ALLOW BESSEMER CITY TO REDISTRIBUTE ITS RESIDENCY WARDS TO THE EXTENT PERMISSIBLE BY FEDERAL CONSTITUTIONAL AND STATUTORY PROVISIONS, SO AS TO ALLOW MAXIMIZATION OF MINORITY VOTING STRENGTH. (CHAPTER 293)

S.B. 241, AN ACT TO ALLOW NORTH CAROLINA AMATEUR SPORTS TO USE STATE TRUCKS AND VANS FOR THE STATE GAMES OF NORTH CAROLINA. (CHAPTER 294)

S.B. 475, AN ACT TO REQUIRE THE WILDLIFE RESOURCES COMMISSION TO MODIFY THE BOUNDARIES OF A PORTION OF THE DANIEL BOONE BEAR SANCTUARY LOCATED IN CALDWELL AND AVERY COUNTIES, AND TO ALLOW THE HUNTING OF BEAR AND WILD BOAR FROM THE RIGHTS-OF-WAY OF UNPAVED ROADS IN AVERY, CALDWELL, AND WILKES COUNTIES. (CHAPTER 295)

H.B. 248, AN ACT TO AUTHORIZE THE TOWN OF MOORESVILLE TO LEVY A ROOM OCCUPANCY TAX. (CHAPTER 296)

H.B. 391, AN ACT TO CONFORM THE PETITION REQUIREMENTS FOR UNAFFILIATED CANDIDATES TO A RECENT COURT RULING. (CHAPTER 297)

H.B. 456, AN ACT TO AMEND THE WAGE AND HOUR ACT TO PROVIDE FOR ATTORNEYS' FEES AND LIQUIDATED DAMAGES UNDER CERTAIN CIRCUMSTANCES. (CHAPTER 298)

H.B. 499, AN ACT TO ESTABLISH THE MISSION AND ESSENTIAL SERVICES OF THE PUBLIC HEALTH SYSTEM. (CHAPTER 299)

H.B. 506, AN ACT TO CLARIFY THE LAW PROVIDING FOR THE PREVENTION OF LEAD POISONING IN CHILDREN. (CHAPTER 300)

H.B. 534, AN ACT TO REMOVE THE SUNSET ON THE VICTIMS COMPENSATION ACT. (CHAPTER 301)

H.B. 610, AN ACT TO PROVIDE RESIDENCY DISTRICTS FOR ELECTION OF THE MARTIN COUNTY BOARD OF COMMISSIONERS, TO IMPLEMENT A CONSENT ORDER IN THE CASE OF DANIELS V. BOARD OF COMMISSIONERS OF MARTIN COUNTY. (CHAPTER 302)

H.B. 668, AN ACT TO AMEND THE CHARTER OF THE CITY OF SOUTHPORT TO PROVIDE FOR THE PLACEMENT OF THE POSITION OF TAX COLLECTOR UNDER THE SUPERVISION OF THE CITY MANAGER. (CHAPTER 303)

H.B. 690, AN ACT TO AMEND THE LAW RELATING TO THE ASSIGNMENT OF COUNSEL FOR INDIGENT PERSONS. (CHAPTER 304)

H.B. 727, AN ACT TO EXEMPT THE TOWN OF TARBORO FROM THE TIME LIMITATION IN G.S. 160A-58.2 FOR THE EFFECTIVE DATE OF AN ANNEXATION ORDINANCE. (CHAPTER 305)

CALENDAR (continued)

Committee Substitute for **H.B. 220**, A BILL TO BE ENTITLED AN ACT TO INCREASE MEDICAL EXAMINER'S FEES TO MEET INCREASED COSTS AND TO ASSESS THE FEES AGAINST THE COUNTY WHERE THE DEATH OR FATAL INJURY OCCURRED IF THE DECEASED IS A RESIDENT OF THAT COUNTY.

Representatives Gottovi and Green request that they be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins,

DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Fletcher, Foster, Fussell, Gardner, Gray, Greenwood, Hardaway, Hightower, Holmes, Holt, Howard, Jack Hunt, Sam Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Morgan, Nye, Oldham, Pope, Privette, Rhodes, Rhyne, Robinson, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 85.

Voting in the negative: Representatives Creech and Hege - 2.

Excused absences: Representatives Abernethy, Barbee, Flaherty, Kennedy, Russell, and Warner - 6.

Excused votes: Representatives Gottovi and Green - 2.

Committee Substitute for **H.B. 433**, A BILL TO BE ENTITLED AN ACT TO REGULATE MULTIPLE EMPLOYER WELFARE ARRANGEMENTS THAT ARE NOT SUBJECT TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT.

On motion of Representative Hardaway, consideration of the bill is postponed until June 18.

S.B. 483, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 745 OF THE 1989 SESSION LAWS TO INCREASE THE AUTHORIZED PROJECT COST OF A WHOLLY SELF-LIQUIDATING RESEARCH FACILITY TO BE LEASED TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BY THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barnes, Barnhill, Beall, Black, Bowen, Bowman, Brawley, Brown, Brubaker, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Fletcher, Foster, Fussell, Gardner, Gottovi, Gray, Green, Greenwood, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Lewis, Ligon, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Nye, Oldham, Pope, Privette, Rhodes, Rhyne, Robinson, Rogers, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 88.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Barbee, Beard, Flaherty, Kennedy, Russell, and Warner - 7.

H.B. 1132, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A SINGLE COUNTY TO ORGANIZE A WATER AND SEWER AUTHORITY PURSUANT TO CHAPTER 162A OF THE GENERAL

STATUTES, passes its second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 366, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT OF SICK LEAVE CREDITABLE TOWARD RETIREMENT FOR LOCAL GOVERNMENT EMPLOYEES, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 999, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A MEMBER OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE TIME LOST DUE TO INTERRUPTED SERVICE FOR MATERNITY LEAVE, passes its second reading, by electronic vote (93-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S.B. 469, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ROCKINGHAM COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barnes, Barnhill, Beall, Black, Bowen, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Gray, Green, Greenwood, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kerr, Lewis, Lilley, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Oldham, Priette, Ramsey, Redwine, Rhodes, Robinson, Rogers, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Wilmoth, Wilson, Withrow, Wood, and Woodard - 90.

Voting in the negative: Representatives Decker, Grimmer, and Ligon - 3.

Excused absences: Representatives Abernethy, Barbee, Beard, Flaherty, Jones, Kennedy, Russell, and Warner - 8.

Committee Substitute for S.B. 479, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF SMITHFIELD TO INCLUDE THE JOHNSTON COUNTY COUNTRY CLUB, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barnes, Barnhill, Beall, Black, Bowen, Bowman, Brown,

Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Gray, Green, Greenwood, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kerr, Lewis, Lilley, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Oldham, Privette, Ramsey, Redwine, Rhodes, Robinson, Rogers, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Wilmoth, Wilson, Withrow, Wood, and Woodard - 90.

Voting in the negative: Representatives Decker, Grimmer, and Ligon - 3.

Excused absences: Representatives Abernethy, Barbee, Beard, Flaherty, Jones, Kennedy, Russell, and Warner - 8.

Committee Substitute for S.B. 549, A BILL TO BE ENTITLED AN ACT AMENDING ORANGE COUNTY'S AUTHORITY RELATING TO IMPACT FEES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barnes, Barnhill, Beall, Black, Bowen, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Gray, Green, Greenwood, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kerr, Lewis, Lilley, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Oldham, Privette, Ramsey, Redwine, Rhodes, Robinson, Rogers, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Wilmoth, Wilson, Withrow, Wood, and Woodard - 90.

Voting in the negative: Representatives Decker, Grimmer, and Ligon - 3.

Excused absences: Representatives Abernethy, Barbee, Beard, Flaherty, Jones, Kennedy, Russell, and Warner - 8.

Committee Substitute for S.B. 501, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DUPLIN COUNTY TO ACQUIRE CERTAIN PROPERTY FOR AN INDUSTRIAL SITE.

On motion of Representative Albertson, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barnes, Barnhill, Beall, Black, Bowen, Bowman, Brawley,

Brown, Brubaker, Buchanan, Chapin, Church, Colton, N. J. Crawford, Culp, Cunningham, Dawkins, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Fletcher, Foster, Fussell, Gottovi, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hensley, Holmes, Holt, Jack Hunt, Sam Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kerr, Lewis, Ligon, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Wilmoth, Wilson, Withrow, Wood, and Woodard - 87.

Voting in the negative: Representatives Creech, Decker, Hege, and Huffman - 4.

Excused absences: Representatives Abernethy, Barbee, Beard, Flaherty, Jones, Kennedy, Russell, and Warner - 8.

S.B. 622, A BILL TO BE ENTITLED AN ACT AUTHORIZING ORANGE COUNTY TO LEVY AN OCCUPANCY TAX AND CHAPEL HILL AND CARRBORO TO INCREASE THEIR MOTOR VEHICLE TAXES.

On motion of Representative Hackney, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barnes, Barnhill, Beall, Black, Bowen, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holt, Howard, Huffman, Jack Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kerr, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Wilmoth, Wilson, Withrow, Wood, and Woodard - 94.

Voting in the negative: Representatives Creech, Ligon, and Pope - 3.

Excused absences: Representatives Abernethy, Barbee, Beard, Flaherty, Jones, Kennedy, Russell, and Warner - 8.

House Committee Substitute for S.B. 368, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF MONROE TO DISPOSE OF CERTAIN PROPERTY ACQUIRED BY EMINENT DOMAIN AND TO AUTHORIZE A DELAY IN THE 1991 MONROE MUNICIPAL ELECTION.

Representative Loflin offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Gray, Green, Greenwood, Grimmer, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Sam Hunt, H. Hunter, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kerr, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Smith, Stamey, Stewart, Tallent, Thompson, Wilmoth, Wilson, Withrow, Wood, and Woodard - 97.

Voting in the negative: None.

Excused absences Representatives Abernethy, Barbee, Beard, Flaherty, Jones, Kennedy, Russell, and Warner - 8.

S.B. 150, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR THE PRODUCTION AND SALE OF FALLOW DEER, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Fletcher, Foster, Fussell, Gardner, Gottovi, Gray, Green, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Sam Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kerr, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 98.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Barbee, Beard, Flaherty, Jones, Kennedy, Russell, and Warner - 8.

S.B. 341, A BILL TO BE ENTITLED AN ACT TO INCREASE VITAL RECORDS FEES AND TO ESTABLISH A NONREVERTING VITAL RECORDS AUTOMATION FUND, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Barnes, Barnhill, Beall, Bowen, Bowie, Bowman, Brawley, Brown,

Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kerr, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Privette, Ramsey, Redwine, Rhodes, Robinson, Rogers, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 93.

Voting in the negative: Representatives Balmer, Creech, Decker, and Rhyne - 4.

Excused absences: Representatives Abernethy, Barbee, Beard, Flaherty, Jones, Kennedy, Russell, and Warner - 8.

On motion of Representative Diamont, the bill is withdrawn from the Calendar for June 18 and re-referred to the Committee on Appropriations.

Committee Substitute for S.B. 412, A BILL TO BE ENTITLED AN ACT TO AMEND CERTIFICATION REQUIREMENTS FOR WATER TREATMENT FACILITY OPERATORS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kerr, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Stamey, Stewart, Tallent, Thompson, Wainwright, Wilmoth, Wilson, Withrow, Wood, and Woodard - 96.

Voting in the negative: Representatives Decker and Smith - 2.

Excused absences: Representatives Abernethy, Barbee, Beard, Flaherty, Jones, Kennedy, Russell, and Warner - 8.

Committee Substitute for S.B. 550, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN SCHOOL DISTRICT BONDS AND TAXES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman,

Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Gray, Green, Greenwood, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Jack Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kerr, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Smith, Stewart, Thompson, Wainwright, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 90.

Voting in the negative: Representatives Creech, Decker, and Lewis - 3.

Excused absences: Representatives Abernethy, Barbee, Beard, Flaherty, Jones, Kennedy, Russell, and Warner - 8.

S.B. 213, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN LAND IN HAMMOCKS BEACH STATE PARK FROM THE STATE NATURE AND HISTORIC PRESERVE AND THE STATE PARKS SYSTEM TO ALLOW THE EXCHANGE OF PROPERTY FOR BOUNDARY MANAGEMENT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Jack Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kerr, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Smith, Stewart, Thompson, Wainwright, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 96.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Barbee, Beard, Flaherty, Jones, Kennedy, Russell, and Warner - 8.

S.B. 516, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES' ADOPTION OF STANDARDS FOR SERVICE DELIVERY TO DEPARTMENT OF CORRECTION INMATES.

On motion of Representative Holt, consideration of the bill is postponed until June 19.

Committee Substitute for **H.B. 279**, A BILL TO BE ENTITLED AN ACT TO MAKE BENEFIT, ELIGIBILITY, CLARIFYING, AND OTHER TECHNICAL CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN.

On motion of Representative Nesbitt, consideration of the bill is postponed until June 18.

House Committee Substitute for **S.B. 343**, A BILL TO BE ENTITLED AN ACT AMENDING THE ALCOHOLIC BEVERAGE CONTROL LAWS.

On motion of Representative Hensley, consideration of the bill is postponed until June 19.

S.B. 400, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF CULTURAL RESOURCES SHALL ISSUE ARCHAEOLOGICAL PERMITS.

On motion of Representative Mavretic, consideration of the bill is postponed until June 19.

H.B. 963, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE AUTHORITY OF CITY COUNCILS AND BOARDS OF COUNTY COMMISSIONERS TO REVISE RESIDENCY DISTRICTS.

The bill, as amended, passes its third reading, by electronic vote (97-0), and is ordered engrossed and sent to the Senate.

On motion of Representative Jack Hunt, seconded by Representative Kerr, the House adjourns at 10:15 p.m. to reconvene June 18 at 1:30 p.m.

EIGHTY-SIXTH DAY

FIRST SESSION

1:30 p.m.

HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Father Gerald Lewis, Rector, Sacred Heart Cathedral, Raleigh, N. C.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of June 17 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (72-0).

A leave of absence is granted Representative Abernethy for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative James for the Committee on Agriculture:

H.B. 1061, A BILL TO BE ENTITLED AN ACT TO REQUIRE BONDS OF DISTRIBUTORS AND SUBDISTRIBUTORS OF MILK, with an indefinite postponement report.

S.B. 636, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A HORSE OWNERS' ASSESSMENT, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representatives Hackney and Miller for the Committee on Finance:

Committee Substitute for **H.B. 22**, A BILL TO BE ENTITLED AN ACT TO REGULATE REVERSE MORTGAGES, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Committee Substitute Bill No. 2 is placed on the Calendar for June 20. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 734**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COLLEGIATE INSIGNIA REGISTRATION PLATES, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Committee Substitute Bill No. 2 is placed on the Calendar for June 20. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 620, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MAINTENANCE OF EFFORT PROVISION FOR THE PUBLIC SCHOOLS OF ROBESON COUNTY, with a favorable report.

By Representative R. Hunter for the Committee on Judiciary III:

Senate Committee Substitute for **H.B. 355**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SUBPOENA POWER OF THE BOARD OF MEDICAL EXAMINERS, with recommendation that the House concur.

H.B. 471, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES GOVERNING BINGO, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 245**, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE ENFORCEMENT PROVISIONS OF THE

NORTH CAROLINA SECURITIES ACT AND THE INVESTMENT ADVISERS ACT, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for June 20. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 273, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA STATE FIREMEN'S ASSOCIATION TO CHANGE ITS NAME AND TO HOLD PROPERTY WITH A VALUE IN EXCESS OF FORTY THOUSAND DOLLARS, with a favorable report.

S.B. 396, A BILL TO BE ENTITLED AN ACT GOVERNING THE VOTING OF SHARES OF CORPORATE STOCK OR OTHER SECURITIES BY JOINT PERSONAL REPRESENTATIVES AND CO-TRUSTEES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report, as amended.

S.B. 696, A BILL TO BE ENTITLED AN ACT TO REQUIRE EXECUTION UPON THE PROPERTY OF A DEBTOR OF A JUDGMENT DEBTOR WHEN THE EXECUTION AGAINST THE PROPERTY OF THE JUDGMENT DEBTOR IS RETURNED UNSATISFIED, with a favorable report.

Committee Substitute for **S.B. 774, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE USE OF FISCAL YEARS FOR PROBATE ACCOUNTING PURPOSES,** with a favorable report, as amended.

By Representatives Nesbitt and Diamont for the Committee on Appropriations:

Committee Substitute for **H.B. 834, A BILL TO BE ENTITLED AN ACT TO CREATE A SAFE BOATING ADVISORY COMMITTEE,** without prejudice, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **H.B. 952, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COMMISSION TO STUDY THE EFFECT OF THE EXCLUSION OF AGRICULTURE FROM WORKERS' COMPENSATION COVERAGE,** without prejudice, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Appointments and Calendar.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Lineberry for the Permanent Subcommittee on Small Business of the Standing Committee on Economic Expansion, with approval of standing committee chairman for report to be made directly to the floor of the House:

Committee Substitute for **S.B. 123**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TRANSFER OF PLUMBING AND HEATING LICENSE NUMBERS, with a favorable report.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 122, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE STATE AGENCIES AND PUBLIC SCHOOLS TO DEVELOP ON-OR NEAR-SITE DAY CARE FACILITIES FOR THEIR EMPLOYEES, is returned for concurrence in Senate amendment and placed on the Calendar for June 19.

Committee Substitute for **H.B. 131**, A BILL TO BE ENTITLED AN ACT REQUIRING THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO REPORT ON ITS PROGRESS IN ADOPTING STANDARDS TO CREATE AND ENHANCE AN ORGANIZED PROGRAM OF PUBLIC SERVICE AND TECHNICAL ASSISTANCE TO THE PUBLIC SCHOOLS, is returned for concurrence in Senate amendment and placed on the Calendar for June 19.

Senate Committee Substitute for **H.B. 468**, A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERMIT TO SELL BEES AND TO AUTHORIZE THE COMMISSIONER OF AGRICULTURE TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF THE BEE AND HONEY ACT, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 19.

Senate Committee Substitute for **H.B. 563**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA HUMAN RELATIONS COMMISSION TO BRING AN ACTION FOR AN INTERFERENCE OF CIVIL RIGHTS UNDER CHAPTER 99D OF THE GENERAL STATUTES, is returned for concurrence in Senate committee substitute, which changes the title, and referred to the Committee on Judiciary III.

Committee Substitute for **H.B. 584**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE LAW ENFORCEMENT OFFICERS OF THE LOCAL GOVERNMENT UNIT DELIVERING A PRISONER TO THE ALBEMARLE DISTRICT JAIL TO PROVIDE TRANSPORTATION FOR THAT PRISONER TO AND FROM THE FACILITY, is returned for concurrence in Senate amendment, and referred to the Committee on Local and Regional Government I.

Senate Committee Substitute for **H.B. 586**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM IN BRUNSWICK COUNTY ON THE QUESTIONS OF CHANGING THE TERMS OF OFFICE OF THE BRUNSWICK COUNTY BOARD OF COMMISSIONERS AND THE BRUNSWICK COUNTY BOARD OF EDUCATION FROM FOUR YEARS TO TWO YEARS, is returned for concurrence in Senate committee substitute and referred to the Committee on Local and Regional Government II.

Senate Committee Substitute for **H.B. 607**, A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD OF ELECTING THE

BOARD OF COMMISSIONERS FOR THE TOWN OF WILLIAMSTON, is returned for concurrence in Senate committee substitute and referred to the Committee on Local and Regional Government II.

Senate Committee Substitute for H.B. 608, A BILL TO BE ENTITLED AN ACT TO ALLOW THE VILLAGE OF BALD HEAD ISLAND TO OPERATE A CONTRACT POST OFFICE, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 19.

Senate Committee Substitute for H.B. 923, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCEDURES GOVERNING THE NOMINATION AND ELECTION OF MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, is returned for concurrence in Senate committee substitute and referred to the Committee on Education.

Committee Substitute for S.B. 316, A BILL TO BE ENTITLED AN ACT TO INCREASE FEES CHARGED BY THE BOARD OF PODIATRY EXAMINERS, TO PROVIDE FOR TEMPORARY PODIATRY LICENSES, AND TO REVISE PROVISIONS FOR APPLICANTS LICENSED IN OTHER STATES, is read the first time and referred to the Committee on Finance.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 483, AN ACT TO AMEND CHAPTER 745 OF THE 1989 SESSION LAWS TO INCREASE THE AUTHORIZED PROJECT COST OF A WHOLLY SELF-LIQUIDATING RESEARCH FACILITY TO BE LEASED TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BY THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL. (CHAPTER 306)

H.B. 148, AN ACT TO INCREASE STATE EFFORT TO PREVENT DROPPING OUT OF SCHOOL BEFORE GRADUATION. (CHAPTER 307)

H.B. 327, AN ACT CHANGING THE TIME NEWLY ELECTED MEMBERS OF THE SURRY COUNTY BOARD OF EDUCATION SHALL QUALIFY. (CHAPTER 308)

H.B. 532, AN ACT TO ALLOW THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE SERVICES TO ESTABLISH SECURITY REQUIREMENTS FOR CONTROLLED SUBSTANCES. (CHAPTER 309)

H.B. 588, AN ACT TO REQUIRE HOSPITALS TO ITEMIZE CHARGES ON DISCHARGED PATIENT'S BILL. (CHAPTER 310)

H.B. 617, AN ACT TO CHANGE THE PAY DATE FOR EMPLOYEES OF THE CLEVELAND COUNTY SCHOOLS. (CHAPTER 311)

H.B. 777, AN ACT TO AMEND THE CHARTER OF THE CITY OF RALEIGH. (CHAPTER 312)

H.B. 785, AN ACT TO ALLOW THE PAMLICO COUNTY SCHOOL BOARD TO CONVEY TO HOBUCKEN COMMUNITY DEVELOPMENT, INC., CERTAIN SCHOOL PROPERTY. (CHAPTER 313)

H.B. 891, AN ACT TO CLARIFY QUALIFICATIONS FOR A STATE BUILDING COMMISSION MEMBER. (CHAPTER 314)

H.B. 912, AN ACT TO AUTHORIZE CITIES TO VACATE AND CLOSE CERTAIN DWELLINGS FOUND TO BE IN VIOLATION OF THE MINIMUM HOUSING CODE. (CHAPTER 315)

H.B. 1086, AN ACT TO ESTABLISH THE PIEDMONT TRIAD RESEARCH INSTITUTE TO OPERATE THE PIEDMONT TRIAD GRADUATE ENGINEERING PROGRAM, BASED AT WAKE FOREST UNIVERSITY AND SERVING THE ENTIRE PIEDMONT TRIAD. (CHAPTER 316)

SUBCOMMITTEE REFERRAL

Representative Hardaway, Chairman for the Standing Committee on Commerce, refers:

H.B. 826, A BILL TO BE ENTITLED AN ACT TO INCREASE THE REQUIRED MINIMUM FINANCIAL RESPONSIBILITY FOR PROPERTY DAMAGE AND TO INCREASE OTHER AMOUNTS IN THE MOTOR VEHICLES LAWS THAT ARE DEPENDENT UPON THE AMOUNT OF REQUIRED MINIMUM FINANCIAL RESPONSIBILITY FOR PROPERTY DAMAGE, to the Permanent Subcommittee on Insurance.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Kennedy for the Committee on Judiciary I:

S.B. 706, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ENFORCEMENT OF CERTAIN NORTH CAROLINA LAWS REGARDING CORPORATE ACQUISITIONS, with a favorable report.

CALENDAR

Action is taken on the following:

H.B. 623, A BILL TO BE ENTITLED AN ACT TO ALLOW COLUMBUS COUNTY AND BRUNSWICK COUNTY TO ENTER INTO LONG-TERM SOLID WASTE DISPOSAL CONTRACTS AND FRANCHISE AGREEMENTS.

On motion of Representative Mercer, the House concurs in the material Senate amendment, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLaughlin, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Oldham, Payne, Pope, Privette, Redwine, Rhodes, Rhyne, Russell, Smith, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 99.

Voting in the negative: None.

Excused absence: Representative Abernethy.

Senate Committee Substitute for House Committee Substitute for **H.B. 33, A BILL TO BE ENTITLED AN ACT TO REGULATE THE BUSINESS OF PROVIDING CREDIT REPAIR SERVICES.**

On motion of Representative Lineberry, the House concurs in the Senate committee substitute, by electronic vote (98-0), and the bill is ordered enrolled.

H.B. 381, A BILL TO BE ENTITLED AN ACT TO COMPLY WITH CONGRESSIONAL CHANGES IN OSHA.

On motion of Representative Beall, the House concurs in Senate Amendment No. 1 by electronic vote (97-0).

On motion of Representative Beall, the House concurs in Senate Amendment No. 2, by electronic vote (98-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 453, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE WAGE AND HOUR ACT.**

On motion of Representative Michaux, the House concurs in the Senate committee substitute, by electronic vote (93-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 902, A BILL TO BE ENTITLED AN ACT TO REMOVE FARM COVERAGES FROM THE JURISDICTION OF THE NORTH CAROLINA RATE BUREAU.**

On motion of Representative Kerr, the House concurs in the Senate committee substitute, by electronic vote (98-0), and the bill is ordered enrolled.

S.B. 469, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ROCKINGHAM COUNTY TO LEVY A ROOM OCCUPANCY AND

TOURISM DEVELOPMENT TAX, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hightower, Holmes, Howard, Huffman, Sam Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Rhodes, Rhyne, Smith, Stewart, Tallent, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 96.

Voting in the negative: Representative Ligon.

Excused absence: Representative Abernethy.

Committee Substitute for S.B. 479, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF SMITHFIELD TO INCLUDE THE JOHNSTON COUNTY COUNTRY CLUB, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hightower, Holmes, Howard, Huffman, Sam Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Rhodes, Rhyne, Smith, Stewart, Tallent, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 96.

Voting in the negative: Representative Ligon.

Excused absence: Representative Abernethy.

Committee Substitute for S.B. 501, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DUPLIN COUNTY TO ACQUIRE CERTAIN PROPERTY FOR AN INDUSTRIAL SITE.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Black, Bowen, Bowie,

Bowman, Brown, Brubaker, Buchanan, Chapin, Church, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hightower, Holmes, Howard, Huffman, Sam Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Rhodes, Rhyne, Smith, Stewart, Tallent, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 96.

Voting in the negative: Representative Ligon.

Excused absence: Representative Abernethy.

Committee Substitute for **S.B. 549**, A BILL TO BE ENTITLED AN ACT AMENDING ORANGE COUNTY'S AUTHORITY RELATING TO IMPACT FEES, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hightower, Holmes, Howard, Huffman, Sam Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Rhodes, Rhyne, Smith, Stewart, Tallent, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 96.

Voting in the negative: Representative Ligon.

Excused absence: Representative Abernethy.

S.B. 622, A BILL TO BE ENTITLED AN ACT AUTHORIZING ORANGE COUNTY TO LEVY AN OCCUPANCY TAX AND CHAPEL HILL AND CARRBORO TO INCREASE THEIR MOTOR VEHICLE TAXES.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green,

Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hightower, Holmes, Howard, Huffman, Sam Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Rhodes, Rhyne, Smith, Stewart, Tallent, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 96.

Voting in the negative: Representative Ligon.

Excused absence: Representative Abernethy.

House Committee Substitute for S.B. 368, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF MONROE TO DISPOSE OF CERTAIN PROPERTY ACQUIRED BY EMINENT DOMAIN AND TO AUTHORIZE A DELAY IN THE 1991 MONROE MUNICIPAL ELECTION.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate, without engrossment, for concurrence in House committee substitute, as amended, by Special Message.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hightower, Holmes, Howard, Huffman, Sam Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Rhodes, Rhyne, Smith, Stewart, Tallent, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 96.

Voting in the negative: Representative Ligon.

Excused absence: Representative Abernethy.

WHITEVILLE HIGH SCHOOL'S BASEBALL TEAM RECOGNIZED

Representative Mercer is recognized and granted permission to approach the Well of the House. Representative Mercer reads Proclamation regarding the Whiteville High School Baseball Team, winners of the 1991 North Carolina State AA Championship. He introduces the coaches and members of the team. The Speaker presents the Proclamation to the Superintendent of the Whiteville City Schools.

CALENDAR (continued)

Committee Substitute for S.B. 612, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MERGER AND CONSOLIDATION

OF THE SCHOOL ADMINISTRATIVE UNITS IN NASH COUNTY AND THE CITY OF ROCKY MOUNT.

On motion of Representative Mavretic, Committee Amendment No. 1 is adopted.

Representative McGee offers Amendment No. 2.

Representative McGee calls the previous question on the adoption of the amendment and moves that the call for the previous question be postponed indefinitely and further moves, seconded by Representative Decker, that that motion do lie upon the table.

Representative Mavretic moves, seconded by Representative Fitch, that the House do now adjourn to reconvene, Tuesday, June 18 at 2:30 p.m. This motion carries by electronic vote (54-47).

The House adjourns at 2:20 p.m.

SECOND SESSION**2:30 p.m.****HOUSE OF REPRESENTATIVES****Tuesday, June 18, 1991**

The House meets at 2:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of June 18, First Session has been examined and found correct. Upon his motion, the Journal for the First Session is approved as written by electronic vote (84-3).

The Speaker, without objection, suspends the normal order of business.

Responding to inquiry, the Speaker explains that the adjournment of the session nullified all pending motions on Committee Substitute for **S.B. 612, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MERGER AND CONSOLIDATION OF THE SCHOOL ADMINISTRATIVE UNITS IN NASH COUNTY AND THE CITY OF ROCKY MOUNT**, and therefore Amendment No. 2 and the motion to call the question on the amendment to postpone indefinitely the call for the previous question, and the tabling motion made during the first session, no longer existed.

CALENDAR

Action is taken on the following:

Committee Substitute for **S.B. 612, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MERGER AND CONSOLIDATION OF THE SCHOOL ADMINISTRATIVE UNITS IN NASH COUNTY AND THE CITY OF ROCKY MOUNT.**

Representative Fitch calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, N. J. Crawford, Culp, Cunningham, Dawkins, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Grimmer, Hackney, Hardaway, Hasty, Hensley, Hightower, Holmes, Holt, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Ligon, Lilley, Lineberry, Luebke, McAllister, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Privette, Ramsey, Rhodes, Robinson, Rogers, Smith, Stamey, Stewart, Tallent, Thompson, Warner, Wilmoth, Withrow, and Wood - 91.

Voting in the negative: Representatives Balmer, J. W. Crawford, Creech, Decker, Lewis, Loflin, Lutz, McGee, Pope, and Russell - 10.

Excused absences: Representatives Abernethy and DeVane - 2.

House Committee Substitute for S.B. 498, A BILL TO BE ENTITLED AN ACT TO MERGE THE EDGECOMBE COUNTY AND TARBORO CITY SCHOOL ADMINISTRATIVE UNITS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, N. J. Crawford, Culp, Dawkins, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Jack Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Thompson, Warner, Wilmoth, Wilson, Withrow, and Woodard - 99.

Voting in the negative: Representatives Balmer and McGee - 2.

Excused absences: Representatives Abernethy and DeVane - 2.

House Committee Substitute No. 2 for S.B. 629, A BILL TO BE ENTITLED AN ACT TO EXEMPT UNION COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE CONSTRUCTION OF A COUNTY DETENTION FACILITY AND TO EXEMPT COLUMBUS COUNTY FROM THOSE REQUIREMENTS IN THE CONSTRUCTION OF A NEW SOCIAL SERVICES FACILITY.

Representative Loflin offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (103-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Committee Substitute for **H.B. 86, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES AND COUNTIES TO IMPOSE AN AVAILABILITY FEE FOR SOLID WASTE DISPOSAL FACILITIES AND TO BILL AND COLLECT THE FEE IN THE SAME MANNER AS PROPERTY TAXES.**

Representative Beall offers Amendment No. 2 which is adopted by electronic vote (51-42).

Representative Kerr offers Amendment No. 3.

On motion of Representative Mavretic, the bill is temporarily displaced.

Committee Substitute for **H.B. 220, A BILL TO BE ENTITLED AN ACT TO INCREASE MEDICAL EXAMINER'S FEES TO MEET INCREASED COSTS AND TO ASSESS THE FEES AGAINST THE COUNTY WHERE THE DEATH OR FATAL INJURY OCCURRED IF THE DECEASED IS A RESIDENT OF THAT COUNTY,** passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, Cunningham, Dawkins, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Gardner, Gottovi, Grady, Gray, Greenwood, Grimmer, Hardaway, Hege, Hightower, Holmes, Holt, Howard, Jack Hunt, Hurley, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Michaux, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 90.

Voting in the negative: Representative Decker.

Excused absences: Representatives Abernethy, Culp, and DeVane - 3.

S.B. 150, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR THE PRODUCTION AND SALE OF FALLOW DEER, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie,

Bowman, Brawley, Brown, Brubaker, Buchanan, Church, Colton, Creech, Cunningham, Dawkins, Decker, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Fletcher, Foster, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hardaway, Hege, Hightower, Holmes, Holt, Howard, Jack Hunt, R. Hunter, Hurley, James, Jarrell, Jeffus, Jones, Jordan, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Michaux, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 86.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Culp, and DeVane - 3.

Committee Substitute for **S.B. 412**, A BILL TO BE ENTITLED AN ACT TO AMEND CERTIFICATION REQUIREMENTS FOR WATER TREATMENT FACILITY OPERATORS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Cunningham, Dawkins, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Fletcher, Foster, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holmes, Howard, Judy Hunt, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Ligon, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 91.

Voting in the negative: Representatives Decker and Smith - 2.

Excused absences: Representatives Abernethy, Culp, and DeVane - 3.

Committee Substitute for **S.B. 550**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN SCHOOL DISTRICT BONDS AND TAXES, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, Cunningham, Dawkins, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Fletcher, Foster, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Judy Hunt, R. Hunter, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr,

Ligon, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 90.

Voting in the negative: Representatives Balmer, Creech, and Decker - 3.

Excused absences: Representatives Abernethy, Culp, and DeVane - 3.

S.B. 213, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN LAND IN HAMMOCKS BEACH STATE PARK FROM THE STATE NATURE AND HISTORIC PRESERVE AND THE STATE PARKS SYSTEM TO ALLOW THE EXCHANGE OF PROPERTY FOR BOUNDARY MANAGEMENT, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, Creech, Dawkins, Decker, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Fletcher, Foster, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Judy Hunt, R. Hunter, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Ligon, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 91.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Culp, and DeVane - 3.

H.B. 1224, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCENTIVE FOR THE USE OF RECYCLED NEWSPRINT BY REQUIRING PUBLISHERS WHO DO NOT USE A MINIMUM AMOUNT OF RECYCLED NEWSPRINT TO PAY A TAX ON NON-RECYCLED NEWSPRINT.

On motion of Representative Mavretic, Committee Amendment No. 1 is adopted.

Representative Mavretic offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Bowen, Bowman, Brawley,

Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Cunningham, Dawkins, Decker, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Judy Hunt, Sam Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 99.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Culp, and DeVane - 3.

Committee Substitute for **H.B. 433, A BILL TO BE ENTITLED AN ACT TO REGULATE MULTIPLE EMPLOYER WELFARE ARRANGEMENTS THAT ARE NOT SUBJECT TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT**, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Bowen, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Cunningham, Dawkins, Decker, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hightower, Holt, Howard, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Withrow, Wood, and Woodard - 97.

Voting in the negative: Representative Wilson.

Excused absences: Representatives Abernethy, Culp, and DeVane - 3.

Committee Substitute for **H.B. 770, A BILL TO BE ENTITLED AN ACT TO CREATE A MIXED BEVERAGES CATERING PERMIT**, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Bowen, Chapin, Church, Colton, N. J. Crawford, Creech, Cunningham, Dawkins, Dial, Diamont, Dickson, Easterling, Esposito, Ethridge, Fletcher, Fussell,

Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hightower, Holt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lilley, Lineberry, Loflin, Luebke, McAllister, McLaughlin, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Wicker, Wilmoth, and Withrow - 77.

Voting in the negative: Representatives Bowman, Brawley, Brown, Buchanan, Decker, Dockham, Foster, Hege, Howard, Lewis, Ligon, Lutz, McGee, Privette, Warner, Wilson, Wood, and Woodard - 18.

Excused absences: Representatives Abernethy, Culp, and DeVane - 3.

Committee Substitute for **H.B. 985**, A BILL TO BE ENTITLED AN ACT TO CLARIFY A CITY'S AUTHORITY TO REQUIRE PARTICIPATION IN ANY SOLID WASTE COLLECTION SERVICES PROVIDED BY THE CITY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Black, Bowen, Bowman, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Cunningham, Dawkins, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Holt, Howard, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 95.

Voting in the negative: Representatives Brawley, Decker, and Warner - 3.

Excused absences: Representatives Abernethy, Culp, and DeVane - 3.

Committee Substitute for **H.B. 1039**, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE CONSTRUCTION OF FACILITIES IN AND THE EXTENSION OF NATURAL GAS SERVICE TO UNSERVED AREAS AND TO REVISE THE PROCEDURES FOR GAS COST ADJUSTMENTS FOR NATURAL GAS LOCAL DISTRIBUTION COMPANIES.

Representative Kerr offers Amendment No. 1 which is adopted.

Representative Luebke offers Amendment No. 2 which fails of adoption.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Brawley, Brown, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Cunningham, Dawkins, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gottovi, Grady, Green, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Holmes, Huffman, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Privette, Ramsey, Rhodes, Rhyne, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Wicker, Wilmoth, Wood, and Woodard - 94.

Voting in the negative: Representatives Bowie, Brubaker, Colton, Decker, Gardner, Hightower, Holt, Howard, Loflin, Luebke, Pope, Warner, and Withrow - 13.

Excused absences: Representatives Abernethy, Culp, and DeVane - 3.

On motion of the Chair, the House recesses at 4:33 p.m.

RECESS

The House meets at 4:55 p.m. pursuant to recess and is called to order by the Speaker.

CALENDAR (continued)

S.B. 744, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE EXPUNCTION OF THE RECORD OF A DEFENDANT NOT PREVIOUSLY CONVICTED OF A FELONY WHEN CRIMINAL CHARGES AGAINST THE DEFENDANT ARE DISMISSED OR THERE IS A FINDING OF NOT GUILTY, passes its third reading, by electronic vote (64-3), and is ordered enrolled.

Committee Substitute for **H.B. 279**, A BILL TO BE ENTITLED AN ACT TO MAKE BENEFIT, ELIGIBILITY, CLARIFYING, AND OTHER TECHNICAL CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN.

Representative Nesbitt offers Amendment No. 1 which is adopted.

Representative Redwine offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading by electronic vote (96-2).

Representative Miller objects to the third reading. The bill remains on the Calendar.

WITHDRAW BILL FROM COMMITTEE

On motion of Representative Diamont, S.B. 341, A BILL TO BE ENTITLED AN ACT TO INCREASE VITAL RECORDS FEES AND TO ESTABLISH A NONREVERTING VITAL RECORDS AUTOMATION FUND, is withdrawn from the Committee on Appropriations and placed on the Calendar for June 19 for its third roll call reading.

CALENDAR (continued)

Committee Substitute No. 2 for H.B. 1018, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE JOINT MUNICIPAL POWER AGENCIES TO ENCUMBER CERTAIN PROPERTY, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Fletcher for the Permanent Subcommittee on Financial Institutions of the Standing Committee on Commerce, with approval of standing committee chairman for report to be made directly to the floor of the House:

Committee Substitute for S.B. 34, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE USE OF THE RULE OF 78s AS IT PERTAINS TO INSTALLMENT LOANS SECURED BY REAL PROPERTY OR MOBILE HOMES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for June 20. The Senate committee substitute bill is placed on the Unfavorable Calendar.

On motion of Representative Jack Hunt, seconded by Representatives Lineberry, Gist, and Bowie, the House adjourns at 6:10 p.m. in honor of Greensboro, which received the coveted national Civic League All America City Award, Saturday, June 8th, at the National Conference in San Antonio, Texas, to reconvene June 19 at 1:30 p.m.

EIGHTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 19, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Rabbi Daniel Hornstein, Beth Meyer Synagogue, Raleigh, N.C.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of June 18, Second Session, has been

examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Abernethy and Wainwright for today.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Michaux for the Committee on Courts, Justice, Constitutional Amendments and Referenda:

H.B. 15, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A BINDING REFERENDUM ON THE ESTABLISHMENT OF A NORTH CAROLINA STATE LOTTERY, without prejudice, and recommendation that the bill be re-referred to the Committee on Finance.

The report is read but not re-referred.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative J. W. Crawford for the Permanent Subcommittee on Water, Air and Soil of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

Committee Substitute for **S.B. 802, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES**, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for June 21. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Beard for the Permanent Subcommittee on Insurance of the Standing Committee on Commerce, with approval of standing committee chairman for report to be made directly to the floor of the House:

Committee Substitute for **S.B. 237, A BILL TO BE ENTITLED AN ACT TO REQUIRE EMPLOYERS TO PROVIDE MEDICAL, HOSPITAL, AND DENTAL INSURANCE COVERAGE INFORMATION IN IV-D SUPPORT CASES**, with a favorable report.

S.B. 581, A BILL TO BE ENTITLED AN ACT TO AMEND THE LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT, with a favorable report.

S.B. 652, A BILL TO BE ENTITLED AN ACT TO AMEND THE "CLEAN RISK" DEFINITION IN THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY, with a favorable report.

S.B. 656, A BILL TO BE ENTITLED AN ACT TO REQUIRE AUDITED FINANCIAL STATEMENTS FROM APPLICANTS FOR NEW MOTOR CLUB LICENSES AND TO ALLOW THE COMMISSIONER OF INSURANCE TO REQUIRE AUDITED FINANCIAL STATEMENTS WITH RENEWAL APPLICATIONS, with a favorable report.

S.B. 688, A BILL TO BE ENTITLED AN ACT TO PROVIDE REDUCED INSURANCE RATES FOR REDUCED COVERAGES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for June 21. The original bill is placed on the Unfavorable Calendar.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Hasty for the Committee on Economic Expansion:

S.B. 287, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE EMPLOYMENT SECURITY LAW PERTAINING TO CONTRIBUTIONS AND COVERAGE, with a favorable report.

S.B. 319, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW PERTAINING TO WAIVER OF LATE FILING PENALTIES, with a favorable report.

S.B. 320, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE EMPLOYMENT SECURITY LAW, with a favorable report, as amended.

S.B. 321, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES TO THE EMPLOYMENT SECURITY LAW, with a favorable report.

Committee Substitute for **S.B. 434**, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO WORKERS' COMPENSATION ACT AND TO INCREASE ASSESSMENTS BY THE INDUSTRIAL COMMISSION FOR THE SECOND INJURY FUND, with a favorable report and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **H.B. 585**, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LOCATION OF NEW ABC STORES IN BRUNSWICK COUNTY TO NO CLOSER THAN SEVEN MILES TO EXISTING ABC STORES, is returned for concurrence in Senate amendment and placed on the Calendar for June 20.

H.B. 724, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW PERTAINING TO IMMUNIZATION REQUIREMENTS, is

returned for concurrence in Senate amendment and placed on the Calendar for June 20.

Senate Committee Substitute for **H.B. 939**, A BILL TO BE ENTITLED AN ACT TO MAKE IT CLEAR THAT A MEDIATION OR OTHER DISPUTE SETTLEMENT CENTER IS NOT A COLLECTION AGENCY AND THEREFORE NOT SUBJECT TO REGULATION PURSUANT TO ARTICLE 9C OF CHAPTER 66 OF THE GENERAL STATUTES, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for June 20.

H.B. 959, A BILL TO BE ENTITLED AN ACT CONCERNING REQUIRED TRAINING OF SUPERVISORS EMPLOYED BY THE STATE WITHIN THE FIRST YEAR OF APPOINTMENT OR PROMOTION, is returned for concurrence in Senate amendment and placed on the Calendar for June 20.

Committee Substitute for **S.B. 534**, A BILL TO BE ENTITLED AND ACT TO AUTHORIZE THE TOWN OF COLUMBUS TO LEVY A ROOM OCCUPANCY TAX, is read the first time and referred to the Committee on Finance.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 150, AN ACT TO ALLOW FOR THE PRODUCTION AND SALE OF FALLOW DEER. (CHAPTER 317)

S.B. 213, AN ACT TO REMOVE CERTAIN LAND IN HAMMOCKS BEACH STATE PARK FROM THE STATE NATURE AND HISTORIC PRESERVE AND THE STATE PARKS SYSTEM TO ALLOW THE EXCHANGE OF PROPERTY FOR BOUNDARY MANAGEMENT. (CHAPTER 318)

S.B. 368, AN ACT TO PERMIT THE CITY OF MONROE TO DISPOSE OF CERTAIN PROPERTY ACQUIRED BY EMINENT DOMAIN AND TO AUTHORIZE A DELAY IN THE 1991 MONROE MUNICIPAL ELECTION. (CHAPTER 319)

S.B. 389, AN ACT TO ABOLISH THE NORTH CAROLINA MARINE SCIENCE COUNCIL, TO CREATE THE NORTH CAROLINA COUNCIL ON OCEAN AFFAIRS, AND TO REQUIRE THE OFFICE OF MARINE AFFAIRS TO ADMINISTER THE NORTH CAROLINA AQUARIUMS. (CHAPTER 320)

S.B. 412, AN ACT TO AMEND CERTIFICATION REQUIREMENTS FOR WATER TREATMENT FACILITY OPERATORS. (CHAPTER 321)

S.B. 469, AN ACT TO AUTHORIZE ROCKINGHAM COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX. (CHAPTER 322)

S.B. 479, AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF SMITHFIELD TO INCLUDE THE JOHNSTON COUNTY COUNTRY CLUB. (CHAPTER 323)

S.B. 549, AN ACT AMENDING ORANGE COUNTY'S AUTHORITY RELATING TO IMPACT FEES. (CHAPTER 324)

S.B. 550, AN ACT TO AUTHORIZE CERTAIN SCHOOL DISTRICT BONDS AND TAXES. (CHAPTER 325)

S.B. 744, AN ACT TO PROVIDE FOR THE EXPUNCTION OF THE RECORD OF A DEFENDANT NOT PREVIOUSLY CONVICTED OF A FELONY WHEN CRIMINAL CHARGES AGAINST THE DEFENDANT ARE DISMISSED OR THERE IS A FINDING OF NOT GUILTY. (CHAPTER 326)

H.B. 33, AN ACT TO REGULATE THE BUSINESS OF PROVIDING CREDIT REPAIR SERVICES. (CHAPTER 327)

H.B. 333, AN ACT TO AUTHORIZE THE STATE BOARD OF EDUCATION TO ADOPT RULES REGARDING THE DISPOSITION OF OLD TEXTBOOKS AND OTHER INSTRUCTIONAL MATERIAL. (CHAPTER 328)

H.B. 381, AN ACT TO COMPLY WITH CONGRESSIONAL CHANGES IN OSHA. (CHAPTER 329)

H.B. 453, AN ACT TO MAKE CLARIFYING CHANGES TO THE WAGE AND HOUR ACT. (CHAPTER 330)

H.B. 495, AN ACT REGARDING THE DEVELOPMENT OF DUAL PERSONNEL EVALUATION PROCESSES FOR THE PUBLIC SCHOOLS. (CHAPTER 331)

H.B. 505, AN ACT TO AMEND THE LAW REGARDING RESPIRE CARE. (CHAPTER 332)

H.B. 616, AN ACT TO ALLOW FOR THE CHANGING OF A CHILD'S NAME BY PETITION NOT MORE THAN TWO TIMES UNDER CERTAIN CIRCUMSTANCES. (CHAPTER 333)

H.B. 623, AN ACT TO ALLOW CERTAIN COUNTIES TO ENTER INTO LONG-TERM SOLID WASTE DISPOSAL CONTRACTS AND FRANCHISE AGREEMENTS. (CHAPTER 334)

H.B. 640, AN ACT TO PERMIT ADOPTIVE PARENTS TO PAY MEDICAL EXPENSES OF THE CHILD'S BIOLOGICAL MOTHER. (CHAPTER 335)

H.B. 746, AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A PILOT PROGRAM TO STUDY THE USE OF RECYCLING BINS AT HIGHWAY REST AREAS, TO REQUIRE THE DEPARTMENT OF AGRICULTURE TO PROVIDE AND MAINTAIN RECYCLING BINS AT THE STATE FAIRGROUNDS IN RALEIGH, TO REQUIRE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO CONDUCT A PILOT PROGRAM TO STUDY THE

USE OF RECYCLING BINS AT STATE PARKS, TO REQUIRE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO PROVIDE AND MAINTAIN RECYCLING BINS AT THE NORTH CAROLINA ZOOLOGICAL PARK. (CHAPTER 336)

H.B. 750, AN ACT TO ALLOW VERIFIABLE LEGAL GUARDIANS TO APPLY FOR AND OTHERWISE HANDLE ABSENTEE BALLOTS FOR THEIR WARD. (CHAPTER 337)

H.B. 752, AN ACT CONCERNING COMPENSATION OF MEMBERS AND SUPERVISORS OF COUNTY BOARDS OF ELECTIONS. (CHAPTER 338)

H.B. 902, AN ACT TO REMOVE FARM COVERAGES FROM THE JURISDICTION OF THE NORTH CAROLINA RATE BUREAU. (CHAPTER 339)

H.B. 911, AN ACT TO PERMIT THE ISSUANCE OF CERTAIN ABC PERMITS TO ALUMNI ASSOCIATIONS ON SCHOOL AND COLLEGE CAMPUSES. (CHAPTER 340)

H.B. 964, AN ACT TO CLARIFY THAT, WHEN MUNICIPALITIES USE THE NONPARTISAN-PRIMARY-AND-ELECTION METHOD, NO VOTER MAY CAST MORE VOTES THAN THERE ARE POSITIONS TO BE FILLED. (CHAPTER 341)

H.B. 1124, AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES. (CHAPTER 342)

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Ramsey for the Committee on Public Employees:

H.B. 818, A BILL TO BE ENTITLED AN ACT TO ALLOW PUBLIC SCHOOL TEACHERS TO CONVERT EXCESS ANNUAL VACATION LEAVE DAYS TO SICK LEAVE, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Pensions and Retirement.

The committee substitute bill is re-referred to the Committee on Pensions and Retirement. The original bill is placed on the Unfavorable Calendar.

H.B. 957, A BILL TO BE ENTITLED AN ACT TO CORRECT INEQUITIES IN THE SALARIES OF EQUALLY QUALIFIED MINORITIES, FEMALES, AND WHITE MALES WITHIN OCCUPATIONAL CATEGORIES IN STATE EMPLOYMENT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Appointments and Calendar.

The committee substitute bill is re-referred to the Committee on Rules, Appointments and Calendar. The original bill is placed on the Unfavorable Calendar.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 608**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE VILLAGE OF BALD HEAD ISLAND TO OPERATE A CONTRACT POST OFFICE.

On motion of Representative Redwine, the House concurs in the Senate committee substitute, by electronic vote (93-0), and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for **H.B. 355**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SUBPOENA POWER OF THE BOARD OF MEDICAL EXAMINERS.

On motion of Representative Gamble, the House concurs in the Senate committee substitute, by electronic vote (97-0), and the bill is ordered enrolled.

H.B. 122, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE STATE AGENCIES AND PUBLIC SCHOOLS TO DEVELOP ON-OR NEAR-SITE DAY CARE FACILITIES FOR THEIR EMPLOYEES.

On motion of Representative Fitch, the House concurs in the Senate amendment, by electronic vote (97-0), and the bill is ordered enrolled.

H.B. 131, A BILL TO BE ENTITLED AN ACT REQUIRING THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO REPORT ON ITS PROGRESS IN ADOPTING STANDARDS TO CREATE AND ENHANCE AN ORGANIZED PROGRAM OF PUBLIC SERVICE AND TECHNICAL ASSISTANCE TO THE PUBLIC SCHOOLS.

On motion of Representative Mavretic, the House concurs in the Senate amendment, by electronic vote (99-1), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 468**, A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERMIT TO SELL BEES AND TO AUTHORIZE THE COMMISSIONER OF AGRICULTURE TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF THE BEE AND HONEY ACT.

On motion of Representative Albertson, the House concurs in the Senate committee substitute, by electronic vote (99-0), and the bill is ordered enrolled.

Committee Substitute for **S.B. 612**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MERGER AND CONSOLIDATION OF THE SCHOOL ADMINISTRATIVE UNITS IN NASH COUNTY AND THE CITY OF ROCKY MOUNT.

Representative McGee offers Amendment No. 2 which fails of adoption by electronic vote (28-73).

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment.

Those voting in the affirmative are: Representatives Albertson, Anderson, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Cunningham, Dawkins, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Ligon, Lilley, Lineberry, Luebke, Lutz, McAllister, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Thompson, Warner, Wicker, Wilmoth, Withrow, Wood, and Woodard - 100.

Voting in the negative: Representatives Balmer, Creech, Culp, Decker, Lewis, McGee, and Pope - 7.

Excused absences: Representatives Abernethy and Wainwright - 2.

House Committee Substitute for S.B. 498, A BILL TO BE ENTITLED AN ACT TO MERGE THE EDGECOMBE COUNTY AND TARBORO CITY SCHOOL ADMINISTRATIVE UNITS, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Albertson, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Fitch, Flaherty, Fletcher, Foster, Gamble, Gardner, Gottovi, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holt, Howard, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, James, Jarrell, Jeffus, Jordan, Justus, Kahl, Kennedy, Lewis, Ligon, Lilley, Lineberry, Lutz, McAllister, McLaughlin, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Privette, Ramsey, Redwine, Rhodes, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Withrow, and Woodard - 88.

Voting in the negative: Representatives Balmer, Culp, Decker, McGee, and Pope - 5.

Excused absences: Representatives Abernethy and Wainwright - 2.

S.B. 620, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MAINTENANCE OF EFFORT PROVISION FOR THE PUBLIC SCHOOLS OF ROBESON COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Fitch, Flaherty, Foster, Fussell, Gamble, Gardner, Gottovi, Gray, Green, Grimmer, Hackney, Hasty, Hege, Hensley, Hightower, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, H. Hunter, Isenhower, James, Jarrell, Jeralds, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, Mercer, Michaux, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Robinson, Rogers, Russell, Smith, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 89.

Voting in the negative: None.

Excused absences: Representatives Abernethy and Wainwright - 2.

Committee Substitute for **H.B. 86**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES AND COUNTIES TO IMPOSE AN AVAILABILITY FEE FOR SOLID WASTE DISPOSAL FACILITIES AND TO BILL AND COLLECT THE FEE IN THE SAME MANNER AS PROPERTY TAXES.

Representative Kerr's pending Amendment No. 3 is adopted by electronic vote (97-6).

Representative Colton offers Amendment No. 4 which is adopted by electronic vote (94-1).

Representative Grimmer offers Amendment No. 5 which is adopted by electronic vote (77-19).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Culp, Cunningham, Dawkins, Dial, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Gray, Greenwood, Grimmer, Hackney, Hardaway, Hensley, Hightower, Holmes, Holt, Howard, Judy Hunt, H. Hunter, Hurley, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Robinson, Russell, Smith, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Wood, and Woodard - 91.

Voting in the negative: Representatives Decker, Dickson, Hege, Kahl, McLaughlin, Mavretic, and Rhyne - 7.

Excused absences: Representatives Abernethy and Wainwright - 2.

H.B. 1224, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCENTIVE FOR THE USE OF RECYCLED NEWSPRINT BY REQUIRING PUBLISHERS WHO DO NOT USE A MINIMUM AMOUNT OF RECYCLED NEWSPRINT TO PAY A TAX ON NON-RECYCLED NEWSPRINT.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, Culp, Cunningham, Dawkins, Decker, Dickson, Dockham, Easterling, Esposito, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Gray, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hightower, Holmes, Holt, Howard, Judy Hunt, H. Hunter, James, Jarrell, Jeffus, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Robinson, Russell, Smith, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Wood, and Woodard - 88.

Voting in the negative: Representative Rhyne.

Excused absences: Representatives Abernethy, Jones, McLawhorn, and Wainwright - 4.

Committee Substitute for **H.B. 433, A BILL TO BE ENTITLED AN ACT TO REGULATE MULTIPLE EMPLOYER WELFARE ARRANGEMENTS THAT ARE NOT SUBJECT TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT**, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Dial, Dickson, Dockham, Easterling, Esposito, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Gray, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Judy Hunt, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Russell, Smith, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Wood, and Woodard - 93.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Jones, McLawhorn, and Wainwright - 4.

Committee Substitute for **H.B. 770, A BILL TO BE ENTITLED AN ACT TO CREATE A MIXED BEVERAGES CATERING PERMIT**,

passes its third reading, by the following vote, and is ordered sent to the Senate. Those voting in the affirmative are: Representatives Albertson, Anderson, Barnes, Barnhill, Beall, Black, Bowen, Brubaker, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dial, Dickson, Easterling, Esposito, Fussell, Gamble, Gist, Gottovi, Gray, Greenwood, Grimmer, Hackney, Hardaway, Hensley, Hightower, Holmes, Holt, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lineberry, Loflin, Luebke, Lutz, Michaux, Miller, Morgan, Nesbitt, Oldham, Payne, Pope, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Russell, Smith, Stewart, Tallent, Thompson, and Wicker - 64.

Voting in the negative: Representatives Balmer, Barbee, Beard, Bowman, Brawley, Brown, Buchanan, Dawkins, Dockham, Foster, Gardner, Hege, Howard, Ligon, Lilley, McGee, Mercer, Nye, Privette, Warner, Wilson, Wood, and Woodard - 23.

Excused absences: Representatives Abernethy, Jones, McLawhorn, and Wainwright - 4.

Committee Substitute for **H.B. 985**, A BILL TO BE ENTITLED AN ACT TO CLARIFY A CITY'S AUTHORITY TO REQUIRE PARTICIPATION IN ANY SOLID WASTE COLLECTION SERVICES PROVIDED BY THE CITY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Foster, Fussell, Gardner, Gist, Gottovi, Gray, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, R. Hunter, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McGee, Mercer, Michaux, Miller, Nesbitt, Nye, Oldham, Payne, Pope, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Russell, Smith, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Wood, and Woodard - 90.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Jones, McLawhorn, and Wainwright - 4.

Committee Substitute for **H.B. 1039**, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE CONSTRUCTION OF FACILITIES IN AND THE EXTENSION OF NATURAL GAS SERVICE TO UNSERVED AREAS AND TO REVISE THE PROCEDURES FOR GAS COST ADJUSTMENTS FOR NATURAL GAS LOCAL DISTRIBUTION COMPANIES.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Brawley, Brubaker, Chapin, Church, J. W. Crawford, Creech, Cunningham, Dawkins, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Fussell, Gamble, Gottovi, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Holmes, Judy Hunt, H. Hunter, R. Hunter, James, Jarrell, Jeffus, Jeralds, Justus, Kahl, Kennedy, Kerr, Lewis, Ligon, Lilley, Lineberry, Lutz, McGee, McLaughlin, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Ramsey, Redwine, Russell, Smith, Stewart, Wicker, Wilmoth, Wood, and Woodard - 68.

Voting in the negatives: Representatives Barbee, Bowman, Brown, Buchanan, Colton, Culp, Foster, Gardner, Gray, Hightower, Holt, Howard, Huffman, Isenhower, Kimsey, Loflin, Luebke, Pope, Rhodes, Rhyne, Robinson, Tallent, and Wilson - 23.

Excused absences: Representatives Abernethy, Jones, McLawhorn, and Wainwright - 4.

Representative Mavretic moves that **H.B. 1113, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE LOTTERY, TO DEDICATE THE PROCEEDS OF THE LOTTERY TO CAPITAL PROJECTS, AND TO LET THE PEOPLE DECIDE WHETHER TO CONTINUE THE LOTTERY AFTER IT HAS OPERATED FOR FIVE YEARS**, be withdrawn from the Committee on Courts, Justice, Constitutional Amendments and Referenda and re-referred to the Committee on Finance.

Representative Mavretic withdraws the motion to withdraw the bill from committee and re-refer.

S.B. 341, A BILL TO BE ENTITLED AN ACT TO INCREASE VITAL RECORDS FEES AND TO ESTABLISH A NONREVERTING VITAL RECORDS AUTOMATION FUND, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Albertson, Anderson, Barbee, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Gray, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hightower, Holmes, Holt, Howard, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Luebke, McGee, McLaughlin, Mavretic, Mercer, Miller, Morgan, Nesbitt, Oldham, Pope, Privette, Ramsey, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Wood, and Woodard - 91.

Voting in the negative: Representative Balmer.

Excused absences: Representatives Abernethy, Jones, McLawhorn, and Wainwright - 4.

Committee Substitute for **H.B. 1222**, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE CLEANUP OF LEAKING PETROLEUM UNDERGROUND STORAGE TANKS, TO INCREASE THE PER GALLON FUEL EXCISE TAX, AND TO DEDICATE THE PROCEEDS OF THE TAX INCREASE TO THE CLEANUP OF LEAKING PETROLEUM UNDERGROUND STORAGE TANKS.

Representatives Hackney, Jordan, and Rhyne request that they be excused from voting on this bill under Rule 24.1A and this request is granted.

Representative Nesbitt offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Gray, Greenwood, Grimmer, Hensley, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, R. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, Mavretic, Mercer, Michaux, Miller, Nesbitt, Nye, Oldham, Payne, Pope, Ramsey, Redwine, Rhodes, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 93.

Voting in the negative: Representatives Balmer, Brown, Decker, Hege, Morgan, Privette, and Warner - 7.

Excused absences: Representatives Abernethy, Jones, McLawhorn, and Wainwright - 4.

Excused votes: Representatives Hackney, Jordan, and Rhyne - 3.

House Committee Substitute for Senate Committee Substitute for **S.B. 155**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATIVE RULE-MAKING PROCESS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barnhill, Beall, Beard, Black, Bowen, Bowman, Brawley, Brubaker, Buchanan, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gray, Greenwood, Grimmer, Hackney, Hege, Hightower, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Kimsey, Ligon, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLaughlin, Mavretic, Mercer, Miller, Nesbitt, Oldham, Payne, Pope, Privette, Redwine,

Rhodes, Rhyne, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, and Withrow - 89.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Jones, McLawhorn, and Wainwright - 4.

Committee Substitute for **S.B. 123**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TRANSFER OF PLUMBING AND HEATING LICENSE NUMBERS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Gamble, Gardner, Gist, Gray, Green, Greenwood, Grimmer, Hackney, Hege, Hightower, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, Jeralds, Jordan, Justus, Kahl, Kennedy, Kimsey, Ligon, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLaughlin, Mavretic, Mercer, Michaux, Miller, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Warner, Wilmoth, Wilson, and Withrow - 93.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Jones, McLawhorn, and Wainwright - 4.

S.B. 516, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES' ADOPTION OF STANDARDS FOR SERVICE DELIVERY TO DEPARTMENT OF CORRECTION INMATES.

On motion of Representative Kerr, consideration of the bill is postponed until June 20.

Committee Substitute for **H.B. 279**, A BILL TO BE ENTITLED AN ACT TO MAKE BENEFIT, ELIGIBILITY, CLARIFYING, AND OTHER TECHNICAL CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN.

Representative Nesbitt offers Amendment No. 3 which is adopted by electronic vote (94-1).

The bill, as amended, passes its third reading, by electronic vote (101-0), and is ordered engrossed and sent to the Senate.

House Committee Substitute for **S.B. 227**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM BENEFITS

WHICH THE INSURANCE COMMISSIONER MAY AUTHORIZE TO BE PAID BY CERTAIN FRATERNAL BENEFIT SOCIETIES AND TO EXTEND THE PERIOD OF TIME FOR QUALIFYING FOR THE MEDICARE SUPPLEMENT AND LONG-TERM CARE INSURANCE SUPPLEMENTAL LICENSE, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for S.B. 522, A BILL TO BE ENTITLED AN ACT TO TO CREATE THE NORTH CAROLINA TRAVEL AND TOURISM BOARD.

Representative Redwine offers Amendment No. 1 which is adopted.

Representative Mavretic offers Amendment No. 2 which is adopted.

Representative Hightower offers perfecting Amendment No. 3 which is adopted.

Representative Redwine calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading by electronic vote (64-30).

Representative Pope objects to the third reading. The bill remains on the Calendar.

House Committee Substitute for S.B. 599, A BILL TO BE ENTITLED AN ACT PERMITTING THE CHILD OF A LEGISLATOR TO ATTEND SCHOOL IN THE LOCAL SCHOOL ADMINISTRATIVE UNIT IN WHICH HE RESIDES WHILE HIS PARENT SERVES IN THE GENERAL ASSEMBLY, passes its second reading, by electronic vote (85-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Gist for the Committee on Local and Regional Government I:

Committee Substitute for H.B. 584, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE LAW ENFORCEMENT OFFICERS OF THE LOCAL GOVERNMENT UNIT DELIVERING A PRISONER TO THE ALBEMARLE DISTRICT JAIL TO PROVIDE TRANSPORTATION FOR THAT PRISONER TO AND FROM THE FACILITY, with recommendation that the House concur.

Senate Committee Substitute for H.B. 652, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MANNER OF FILLING

VACANCIES IN THE OFFICE OF THE REGISTERS OF DEEDS OF CAMDEN, CHOWAN, PASQUOTANK, AND PERQUIMANS COUNTIES, with recommendation that the House concur.

Senate Committee Substitute for H.B. 737, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON WITH RESPECT TO PROPERTY PURCHASES BY THE CITY MANAGER, with recommendation that the House concur.

By Representative R. Hunter for the Committee on Judiciary III:

Committee Substitute for S.B. 20, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE EXEMPTION FROM CERTAIN DRIVERS LICENSES FOR VOLUNTEER FIREFIGHTERS, with a favorable report, as amended.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Kerr for the Permanent Subcommittee on State Revenue:

H.B. 945, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROVIDING FOR UNIFORM JAIL FEES, reported to the Standing Committee on Finance, with a favorable recommendation as to proposed committee substitute bill, unfavorable as to original bill.

S.B. 669, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A PORK PROMOTION ASSESSMENT, reported to the Standing Committee on Finance, with a favorable recommendation as to proposed House committee substitute bill, unfavorable as to Senate bill.

On motion of Representative Jack Hunt, seconded by Representative Robinson, the House adjourns at 4:50 p.m. to reconvene June 20 at 1:30 p.m.

EIGHTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Thursday, June 20, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of June 19 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (85-0).

A leave of absence is granted Representative Stamey for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Dawkins for the Committee on Judiciary II:

S.B. 12, A BILL TO BE ENTITLED AN ACT MAKING THE ADMINISTRATIVE RULE-MAKING PROCESS MORE UNIFORM AND TO CLARIFY THE SCOPE OF A RULE, with a favorable report, as amended.

S.B. 762, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON CONVICTED OF POSSESSION OF A CONTROLLED SUBSTANCE ON PRISON OR JAIL PREMISES SHALL BE GUILTY OF A CLASS I FELONY, with a favorable report, as amended.

S.B. 934, A BILL TO BE ENTITLED AN ACT TO PERMIT COMMITMENT TO SATELLITE JAIL/WORK RELEASE UNITS, with a favorable report, as amended.

By Representative Woodard for the Committee on Science and Technology:

S.B. 373, A BILL TO BE ENTITLED AN ACT TO ADD FOUR MEMBERS TO THE NORTH CAROLINA BOARD OF SCIENCE AND TECHNOLOGY, with a favorable report as to House committee substitute bill, unfavorable as to Senate bill.

The House committee substitute bill is placed on the Calendar for June 24. The original bill is placed on the Unfavorable Calendar.

By Representative Michaux for the Committee on Courts, Justice, Constitutional Amendments and Referenda:

S.B. 664, A BILL TO BE ENTITLED AN ACT TO INCREASE THE JURISDICTION OF MAGISTRATES AND CLERKS OF A COURT IN WORTHLESS CHECK CASES, with a favorable report.

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 1009, A BILL TO BE ENTITLED AN ACT TO PROVIDE JUST COMPENSATION PROCEDURES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Appointments and Calendar.

The committee substitute bill is re-referred to the Committee on Rules, Appointments and Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 1016**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ISSUANCE OF BONDS FOR FINANCING GAS SYSTEMS OR FACILITIES, with a favorable report.

Committee Substitute for **S.B. 590**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF

HENDERSONVILLE RELATING TO ASSESSMENTS, with a favorable report.

SUBCOMMITTEE REFERRALS

Representatives Hackney and Miller, Chairmen for the Standing Committee on Finance, refer:

H.B. 383, A BILL TO BE ENTITLED AN ACT TO MANAGE FINANCES BETTER AT THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL, to the Permanent Subcommittee on State Revenue.

H.B. 707, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE POLK COUNTY TO LEVY A ONE PERCENT LOCAL LAND TRANSFER TAX, to the Permanent Subcommittee on State Revenue.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Lutz for the Committee on Local and Regional Government II:

Senate Committee Substitute for **H.B. 586**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM IN BRUNSWICK COUNTY ON THE QUESTIONS OF CHANGING THE TERMS OF OFFICE OF THE BRUNSWICK COUNTY BOARD OF COMMISSIONERS AND THE BRUNSWICK COUNTY BOARD OF EDUCATION FROM FOUR YEARS TO TWO YEARS, with recommendation that the House concur.

Senate Committee Substitute for **H.B. 587**, A BILL TO BE ENTITLED AN ACT TO ALLOW ATLANTIC BEACH, CAROLINA BEACH, CASWELL BEACH, HOLDEN BEACH, LONG BEACH, OCEAN ISLE BEACH, SUNSET BEACH, TOPSAIL BEACH, WRIGHTSVILLE BEACH, AND YAUPON BEACH TO REGULATE JET SKIING, AND TO AUTHORIZE REGULATION OF JET SKIING IN LAKE NORMAN, with recommendation that the House do not concur; request conferees.

On motion of Representative Redwine, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Redwine, the House does not concur in the Senate committee substitute and requests conferees.

The Speaker announces the appointment of Representatives Redwine, Gamble, and Brawley as conferees and the Senate is so notified by Special Message.

Senate Committee Substitute for **H.B. 607**, A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD OF ELECTING THE BOARD OF COMMISSIONERS FOR THE TOWN OF WILLIAMSTON, with recommendation that the House concur.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Hightower for the Permanent Subcommittee on Hazardous Waste of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 1210, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROGRAM TO PROVIDE FOR REGIONAL RESPONSE TEAMS TO RESPOND TO HAZARDOUS MATERIALS EMERGENCIES IN NORTH CAROLINA, TO ASSESS FEES TO FUND THIS PROGRAM, AND TO ESTABLISH A LEGISLATIVE STUDY COMMISSION TO STUDY HAZARDOUS MATERIALS CONTROL AND MANAGEMENT, with a favorable report as to committee substitute House joint resolution, which changes the title, unfavorable as to original bill, and recommendation that the House joint resolution be re-referred to the Committee on Rules, Appointments and Calendar.

The committee substitute House joint resolution is re-referred to the Committee on Rules, Appointments and Calendar. The original bill is placed on the Unfavorable Calendar.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representatives Nesbitt and Diamont for the Committee on Appropriations:

H.B. 488, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF A CAPITAL IMPROVEMENTS PROJECT AT WINSTON-SALEM STATE UNIVERSITY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H.B. 490, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 965 OF THE 1989 SESSION LAWS TO PROVIDE CHANGES ONLY WITH RESPECT TO A PROJECT WHOLLY SELF-LIQUIDATING, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H.B. 491, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Nesbitt, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Finance.

H.B. 1163, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING OF A CERTAIN

CAPITAL IMPROVEMENT PROJECT BY APPALACHIAN STATE, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Nesbitt, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

S.J.R. 960, A JOINT RESOLUTION HONORING THE GRAND-FATHER MOUNTAIN HIGHLAND GAMES AND THE ACCEPTANCE BY THE EARL AND COUNTESS OF DALKEITH TO BE THE HONORED GUESTS AT THE 1991 GAMES, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 175, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE, CLARIFY, AND IMPROVE THE STATUTES RELATING TO RAILROAD/MOTOR VEHICLE SAFETY**, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 21.

Senate Committee Substitute for **H.B. 241, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE NORTH CAROLINA EDUCATION COUNCIL**, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for June 21.

Committee Substitute for **H.B. 406, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN TRUCKS REQUIRED TO BE INSPECTED UNDER FEDERAL REGULATIONS FROM HAVING TO ALSO BE INSPECTED UNDER THE STATE INSPECTION PROGRAM**, is returned for concurrence in Senate amendment and placed on the Calendar for June 21.

Senate Committee Substitute for **H.B. 494, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE BUSINESS COMMUNITY TO FACILITATE STUDENT ACHIEVEMENT**, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 21.

Senate Committee Substitute for **H.B. 520, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LIABILITY OF PERSONS RESPONDING TO OIL SPILLS**, is returned for concurrence in Senate committee substitute and referred to the Committee on Judiciary II.

Senate Committee Substitute for **H.B. 620, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE RECYCLING OF**

LEAD-ACID BATTERIES AND TO OTHERWISE REGULATE THE DISPOSAL OF LEAD-ACID BATTERIES, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 21.

Senate Committee Substitute for H.B. 865, A BILL TO BE ENTITLED AN ACT TO ALLOW A LIMITED REPRESENTATIVE TO RECEIVE A LICENSE TO SELL CREDIT PROPERTY INSURANCE AND AUTOMOBILE PHYSICAL DAMAGE INSURANCE ISSUED IN CONNECTION WITH A LOAN, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 21.

Senate Committee Substitute for H.B. 897, A BILL TO BE ENTITLED AN ACT TO LIMIT REFERRALS OF PROPERTY DAMAGE REPAIR WORK BY ADJUSTERS AND AGENTS, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 21.

Senate Committee Substitute for H.B. 1097, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MORE STRINGENT REQUIREMENTS ON HAZARDOUS WASTE LANDFILLS BY REQUIRING ALL WASTE BE PLACED IN CONTAINERS PRIOR TO DISPOSAL AND TO AMEND THE GENERAL STATUTES CONCERNING RESIDENT INSPECTOR RULES AT SPECIAL PURPOSE COMMERCIAL HAZARDOUS WASTE FACILITIES, is returned for concurrence in Senate committee substitute, which changes the title, and referred to the Committee on Environment.

Committee Substitute No. 2 for S.B. 930, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF NOT IN EXCESS OF FORTY-FIVE MILLION DOLLARS BONDS OF THE STATE TO PROVIDE FUNDS, WITH ANY OTHER AVAILABLE FUNDS, FOR STATE CAPITAL FACILITIES, SUCH AUTHORIZED BONDS TO BE ISSUED WITHOUT AN ELECTION DURING THE BIENNIUM ENDED JUNE 30, 1993, IN AN AMOUNT NOT IN EXCESS OF THIS AUTHORIZED AMOUNT AND NOT IN EXCESS OF TWO-THIRDS OF THE AMOUNT BY WHICH THE STATE'S OUTSTANDING INDEBTEDNESS WILL HAVE BEEN REDUCED DURING THE 1989-91 BIENNIUM, is read the first time and referred to the Committee on Appropriations.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 341, AN ACT TO INCREASE VITAL RECORDS FEES AND TO ESTABLISH A NONREVERTING VITAL RECORDS AUTOMATION FUND. (CHAPTER 343)

S.B. 690, AN ACT TO PROVIDE FOR THE ENFORCEMENT OF A LIEN ON A MOTOR VEHICLE, MOTORBOAT, WATERCRAFT OF ANY KIND, OR BOAT TRAILER IN CONNECTION WITH REPAIRS, WHEN THE LIENOR DOES NOT HAVE POSSESSION OF THE MOTOR VEHICLE, BOAT, WATERCRAFT OF ANY KIND, OR BOAT TRAILER. (CHAPTER 344)

H.B. 122, AN ACT TO ENCOURAGE STATE AGENCIES AND PUBLIC SCHOOLS TO DEVELOP ON- OR NEAR-SITE DAY CARE FACILITIES FOR THEIR EMPLOYEES. (CHAPTER 345)

H.B. 131, AN ACT REQUIRING THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO REPORT ON ITS PROGRESS IN ADOPTING STANDARDS TO CREATE AND ENHANCE AN ORGANIZED PROGRAM OF PUBLIC SERVICE AND TECHNICAL ASSISTANCE TO THE PUBLIC SCHOOLS. (CHAPTER 346)

H.B. 276, AN ACT TO PROVIDE FOR THE ADMINISTRATION OF THE POLITICAL PARTIES FINANCING FUND. (CHAPTER 347)

H.B. 355, AN ACT TO CLARIFY THE SUBPOENA POWER OF THE BOARD OF MEDICAL EXAMINERS. (CHAPTER 348)

H.B. 468, AN ACT TO REQUIRE A PERMIT TO SELL BEES AND TO AUTHORIZE THE COMMISSIONER OF AGRICULTURE TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF THE BEE AND HONEY ACT. (CHAPTER 349)

H.B. 608, AN ACT TO ALLOW THE VILLAGE OF BALD HEAD ISLAND TO OPERATE A CONTRACT POST OFFICE. (CHAPTER 350)

H.B. 713, AN ACT TO PROVIDE THAT THE DISTRICT BOARD OF A METROPOLITAN SEWERAGE DISTRICT MAY APPOINT AN ASSISTANT SECRETARY AND AN ASSISTANT TREASURER. (CHAPTER 351)

H.B. 1118, AN ACT TO CLARIFY THE LAW REGARDING THE PRETRIAL RELEASE OF JUVENILES. (CHAPTER 352)

H.B. 1119, AN ACT TO CLARIFY THE LAW RELATING TO THE INTERMITTENT COMMITMENT OF DELINQUENT JUVENILES. (CHAPTER 353)

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 585**, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LOCATION OF NEW ABC STORES IN BRUNSWICK COUNTY TO NO CLOSER THAN SEVEN MILES TO EXISTING ABC STORES.

On motion of Representative Redwine, the House concurs in the Senate amendment, which changes the title, and the bill is ordered enrolled.

Committee Substitute for **H.B. 584**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE LAW ENFORCEMENT OFFICERS OF THE LOCAL GOVERNMENT UNIT DELIVERING A PRISONER TO THE ALBEMARLE DISTRICT JAIL TO PROVIDE TRANSPORTATION FOR THAT PRISONER TO AND FROM THE FACILITY.

On motion of Representative Thompson, the House concurs in the Senate amendment, which changes the title, and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 652**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MANNER OF FILLING VACANCIES IN THE OFFICE OF THE REGISTERS OF DEEDS OF CAMDEN, CHOWAN, PASQUOTANK, AND PERQUIMANS COUNTIES.

On motion of Representative Thompson, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 737**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON WITH RESPECT TO PROPERTY PURCHASES BY THE CITY MANAGER.

On motion of Representative Gottovi, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

H.B. 724, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW PERTAINING TO IMMUNIZATION REQUIREMENTS.

On motion of Representative Kerr, the House concurs in the Senate amendment, by electronic vote (98-1), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 939**, A BILL TO BE ENTITLED AN ACT TO MAKE IT CLEAR THAT A MEDIATION OR OTHER DISPUTE SETTLEMENT CENTER IS NOT A COLLECTION AGENCY AND THEREFORE NOT SUBJECT TO REGULATION.

On motion of Representative Miller, the House concurs in the Senate committee substitute, by electronic vote (99-0), and the bill is ordered enrolled.

S.B. 620, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MAINTENANCE OF EFFORT PROVISION FOR THE PUBLIC SCHOOLS OF ROBESON COUNTY, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Hackney, Hardaway, Hasty, Hege, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rogers, Russell, Smith, Stewart, Tallent, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 98.

Voting in the negative: None.

Excused absences: Representatives Gamble, Jack Hunt, Lutz, and Stamey - 4.

H.B. 1222, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE CLEANUP OF LEAKING PETROLEUM UNDERGROUND STORAGE TANKS, TO INCREASE THE PER GALLON FUEL EXCISE TAX, AND TO DEDICATE THE PROCEEDS OF THE TAX INCREASE TO THE CLEANUP OF LEAKING PETROLEUM UNDERGROUND STORAGE TANKS.

Representatives Jordan, Rhyne, and Hackney request that they be excused from voting on this bill under rule 24.1A and this request is granted.

The bill, as amended, passes its third reading, by the following vote and is ordered sent to the Senate, without engrossment, by Special Message.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Barbee, Barnhill, Beall, Beard, Black, Bowie, Bowman, Brawley, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Fletcher, Foster, Fussell, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hardaway, Hege, Hensley, Holt, Howard, Huffman Judy Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Justus, Kahl, Kennedy, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Wicker, Wilmoth, Wilson, Wood, and Woodard - 90.

Voting in the negative: Representatives Balmer, Brown, Creech, Decker, Holmes, Kimsey, and Morgan - 7.

Excused absences: Representatives Gamble, Jack Hunt, Lutz, and Stamey - 4.

Excused votes: Representatives Hackney, Jordan, and Rhyne - 3.

House Committee Substitute for Senate Committee Substitute for **S.B. 155, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATIVE RULE-MAKING PROCESS**, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Fletcher, Foster, Fussell, Gardner, Gist, Gottovi, Grady,

Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Holt, Howard, Huffman, Judy Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Rhodes, Rhyne, Rogers, Russell, Stewart, Tallent, Thompson, Wainwright, Wilmoth, Wilson, Withrow, Wood, and Woodard - 94.

Voting in the negative: None.

Excused absences: Representatives DeVane, Gamble, Jack Hunt, Lutz, and Stamey - 5.

Committee Substitute for S.B. 123, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TRANSFER OF PLUMBING AND HEATING LICENSE NUMBERS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Flaherty, Fletcher, Foster, Fussell, Gardner, Gist, Gottovi, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, R. Hunter, Hurley, Isenhower, Jarrell, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Rhodes, Rhyne, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Wilmoth, Wilson, Withrow, Wood, and Woodard - 98.

Voting in the negative: None.

Excused absences: Representatives DeVane, Gamble, Jack Hunt, Lutz, and Stamey - 5.

Committee Substitute No. 2 for H.B. 22, A BILL TO BE ENTITLED AN ACT TO REGULATE REVERSE MORTGAGES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fletcher, Foster, Fussell, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holt, Howard, Huffman, Judy Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McAllister, McGee, McLawhorn Mavretic, Mercer,

Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Wilmoth, Wilson, Withrow, Wood, and Woodard - 101.

Voting in the negative: None.

Excused absences: Representatives DeVane, Gamble, Jack Hunt, and Lutz - 4.

Committee Substitute No. 2 for **H.B. 734**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COLLEGIATE INSIGNIA REGISTRATION PLATES.

On motion of Representative Fussell, consideration of the bill is postponed until June 24.

S.B. 516, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES' ADOPTION OF STANDARDS FOR SERVICE DELIVERY TO DEPARTMENT OF CORRECTION INMATES.

Representative Holt offers Amendment No. 1 which is adopted by electronic vote (101-1).

The bill, as amended, passes its third reading, by electronic vote (97-0), and is ordered sent to the Senate for concurrence in House amendment.

House Committee Substitute for **S.B. 522**, A BILL TO BE ENTITLED AN ACT TO TO CREATE THE NORTH CAROLINA TRAVEL AND TOURISM BOARD.

Representative Pope offers Amendment No. 4 which is adopted by electronic vote (98-0).

The bill, as amended, passes its third reading, by electronic vote (93-3), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

S.B. 225, A BILL TO BE ENTITLED AN ACT TO GIVE LOCAL BOARDS OF EDUCATION ELECTED ON A DISTRICT BASIS SIMILAR POWER AS CITIES TO REDISTRICT.

On motion of Representative Ramsey, Committee Amendment No. 1 is adopted.

Representative Hightower offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (75-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendments.

S.B. 122, A BILL TO BE ENTITLED AN ACT TO DEFINE "CAREER STATE EMPLOYEES" AND TO ESTABLISH A DIFFERENT SET OF CRITERIA FOR DETERMINING WHETHER A STATE EMPLOYEE IS SUBJECT TO CHAPTER 126 OF THE GENERAL STATUTES, passes its second reading, by electronic vote (88-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

REPRESENTATIVE WICKER, HOUSE MAJORITY LEADER, PRESIDING.

S.B. 277, A BILL TO BE ENTITLED AN ACT TO ASSIST STATE AGENCIES IN FILLING VACANCIES WITHIN SHORTAGE OCCUPATIONS, INCLUDING NURSING, passes its second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 635, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE CRIMINAL PENALTY FOR TAKING MIGRATORY GAME BIRDS WITH AN UNPLUGGED OR IMPROPERLY PLUGGED SHOTGUN, passes its second reading, by electronic vote (78-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 413, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATUTORY DESCRIPTION OF THE STATE FLAG, passes its second reading, by electronic vote (83-3), and there being no objection is read a third time.

The bill passes its third reading, by electronic vote (83-1), and is ordered enrolled.

S.B. 427, A BILL TO BE ENTITLED AN ACT TO PROVIDE A GRACE PERIOD FOR MILITARY PERSONNEL TO RENEW OCCUPATIONAL LICENSES EXPIRING DURING DEPLOYMENT OR ACTIVE DUTY, AND TO DISCOUNT FEES, passes its second reading, by electronic vote (82-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S.B. 659, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO STATUTES GOVERNING NATIONAL GUARD AWARDS, passes its second reading, by electronic vote (79-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 634, A BILL TO BE ENTITLED AN ACT TO REPEAL ACTS DIRECTING THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO BUILD A REGIONAL BEACH ACCESS FACILITY, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 312, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TEACHERS MAY PARTICIPATE IN THE PUBLIC EMPLOYEES' COMPENSATION PLAN, passes its second reading by electronic vote (79-0).

Representative Mavretic objects to the third reading. The bill remains on the Calendar.

S.B. 183, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE AGENCIES STUDY HOW BEST TO COORDINATE STATE AGENCIES' PROGRAMS AND SERVICES FOR THE HOMELESS.

On motion of Representative Hightower, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (73-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

S.B. 306, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING STATE AND FEDERAL SURPLUS PROPERTY, passes its second reading, by electronic vote (76-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 385, A BILL TO BE ENTITLED AN ACT TO PROTECT THE SECURITY OF OCCUPATIONAL LICENSING EXAMINATIONS, passes its second reading, by electronic vote (80-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 788, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ENERGY DIVISION OF THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO STUDY THE USE OF CLEAN TRANSPORTATION FUELS IN STATE-OWNED VEHICLES AND TO DEVELOP A DEMONSTRATION PROJECT USING NATURAL GAS AS THE FUEL FOR STATE-OWNED VEHICLES, passes its second reading by electronic vote (85-0).

Representative Pope objects to the third reading. The bill remains on the Calendar.

S.B. 488, A BILL TO BE ENTITLED AN ACT TO REQUIRE REGISTRATION OFFICIALS TO FORWARD TO COUNTY BOARDS OF ELECTIONS COMPLETED APPLICATIONS TO REGISTER NO LATER THAN SEVENTY-TWO HOURS AFTER THE CLOSE OF REGISTRATION, passes its second reading, by electronic vote (79-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 376, A BILL TO BE ENTITLED AN ACT ADOPTING THE RECOMMENDATIONS OF THE MENTAL HEALTH STUDY COMMISSION CONCERNING MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE SERVICES IN JAILS.

On motion of Representative Jeralds, consideration of the bill is postponed until June 21.

S.B. 372, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW RELATING TO EXEMPTIONS TO CONFIDENTIALITY OF MENTAL HEALTH CLIENTS' RECORDS, passes its second reading, by electronic vote (78-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 234, A BILL TO BE ENTITLED AN ACT TO PERMIT REGIONAL SOLID WASTE MANAGEMENT AUTHORITIES TO RECEIVE ANNUAL SALES TAX REFUNDS, passes its second reading, by electronic vote (83-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 198, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PROCESSING FEE FOR BAD CHECKS.

On motion of Representative Mavretic, the bill is withdrawn from the Calendar and re-referred to the Committee on Finance.

House Committee Substitute for **S.B. 657, A BILL TO BE ENTITLED AN ACT TO AMEND THE WORKERS' COMPENSATION ACT REGARDING THE RIGHTS AND REMEDIES OF AN EMPLOYEE, HIS EMPLOYER, AND THE EMPLOYER'S INSURANCE COMPANY AGAINST THIRD PARTIES,** passes its second reading, by electronic vote (80-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

House Committee Substitute for **S.B. 724, A BILL TO BE ENTITLED AN ACT AMENDING THE UNEMPLOYMENT INSURANCE LAW TO ADD A PROVISION FOR AN "EXTENDED BASE PERIOD",** passes its second reading, by electronic vote (83-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

CONFERENCE REPORT

Representative Nye sends forth the following Conference Report and moves its adoption.

H.B. 996

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on **H.B. 996, A BILL TO BE ENTITLED AN ACT TO COORDINATE THE EFFECTIVE DATE OF CHANGED STATE MEDICAID REIMBURSEMENT AMOUNTS WITH THE DATE FOR WHICH THE CHANGE IS APPROVED BY FEDERAL ADMINISTRATION**, submit the following report:

The Senate recedes from Senate Amendment #1, and the House and Senate agree to the following amendment:

on page 2, line 12, by inserting the following sentence at the beginning of that line to read:

"The Department shall establish the methods by which reimbursement amounts are determined in accordance with Chapter 150B of the General Statutes.";

and on page 2, line 15, by deleting "(d)" and substituting "(d)";

and on page 2, line 21, by rewriting that line to read:

"Sec. 2. This act becomes effective January 1, 1992."

The conferees recommend that the Senate and the House of Representatives adopt this report.

June 20, 1991.

*Conferees for the
Senate*

S/ Jim Richardson
S/ Marc Basnight
S/ James Forrester
S/ Russell Walker

*Conferees for the
House of Representatives*

S/ Edd Nye
S/ Ruth Easterling
S/ Nick Jeralds

The Conference Report is adopted, by electronic vote (83-0), and the Senate is so notified by Special Message.

SPEAKER BLUE, PRESIDING.

CALENDAR (continued)

House Committee Substitute for **S.B. 386, A BILL TO BE ENTITLED AN ACT TO AMEND THOSE PORTIONS OF THE GENERAL STATUTES THAT LIMIT THE ENVIRONMENTAL MANAGEMENT COMMISSION TO THE ADOPTION OF ENVIRONMENTAL RULES REGARDING WATER QUALITY AND AIR QUALITY THAT ARE NO MORE RESTRICTIVE THAN FEDERAL ENVIRONMENTAL REGULATIONS TO PROVIDE THAT AN EVALUATION OF THE IMPACT OF SUCH RULES BE PREPARED BEFORE SUCH RULES ARE ADOPTED**, passes its second

reading, by electronic vote (87-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

RE-REFERRALS

On motion of Representative Jeralds, **H.B. 542**, A BILL TO BE ENTITLED AN ACT TO BEGIN THE PROCESS OF ADOPTING A REFORMED, UNIVERSAL, STATE-ADMINISTERED CHILD SUPPORT SYSTEM IN NORTH CAROLINA, is withdrawn from the Permanent Subcommittee on Children, Youth and Families and re-referred to the Standing Committee on Human Resources.

On motion of Representative Jack Hunt, **S.B. 329**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AND CLARIFYING AMENDMENTS TO THE NURSING PRACTICE ACT, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Judiciary II.

On motion of Representative Jack Hunt, **S.B. 531**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE EASTERN BAND OF CHEROKEE INDIANS SHALL BE ELIGIBLE TO: (1) BE A MEMBER OF A REGIONAL SOLID WASTE MANAGEMENT AUTHORITY, AND (2) APPLY FOR FINANCING A PROJECT WITH A LOAN FROM THE NORTH CAROLINA SOLID WASTE MANAGEMENT CAPITAL PROJECTS FINANCING AUTHORITY, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Environment.

On motion of Representative Jack Hunt, **S.B. 564**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF HIGHLANDS, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Local and Regional Government II.

On motion of Representative Jack Hunt, **H.B. 703**, A BILL TO BE ENTITLED AN ACT CONCERNING LOCAL REVENUE OPTIONS FOR WAKE COUNTY, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Finance.

WITHDRAW BILL FROM JUNE 21 CALENDAR

On motion of Representative Brubaker, Committee Substitute No. 2 for **H.B. 22**, A BILL TO BE ENTITLED AN ACT TO REGULATE REVERSE MORTGAGES, is withdrawn from the Calendar for June 21 and placed on the Calendar for June 24.

RE-REFERRAL

On motion of Representative Kennedy, **S.B. 429**, A BILL TO BE ENTITLED AN ACT TO AMEND THE UNEMPLOYMENT INSURANCE LAW PERTAINING TO HEARINGS, is withdrawn from the Permanent Subcommittee on Labor Relations and Employment and re-referred to the Standing Committee on Economic Expansion.

CALENDAR (continued)

S.B. 652, A BILL TO BE ENTITLED AN ACT TO AMEND THE "CLEAN RISK" DEFINITION IN THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY.

On motion of Representative Beard, the bill is withdrawn from the Calendar and re-referred to the Committee on Commerce.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative R. Hunter for the Committee on Judiciary III:

S.B. 424, A BILL TO BE ENTITLED AN ACT TO EXPAND THE AUTHORITY OF THE ADMINISTRATIVE OFFICER OF THE COURTS TO CONTRACT FOR THE SERVICES OF PRIVATE ATTORNEYS FOR SPECIALIZED REPRESENTATION OF INDIGENTS AND TO EXPAND THE AUTHORITY OF THE COURTS TO REQUIRE PAYMENT OF ATTORNEYS' FEES BY PARENTS WHO ARE FINANCIALLY ABLE TO PAY, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for June 24. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 473, A BILL TO BE ENTITLED AN ACT TO REPEAL G.S. 47-8, TO PROTECT THE EFFICACY OF CERTAIN JUDGMENTS ENTERED IN RELIANCE UPON DOCUMENTS NOTARIZED BY ATTORNEYS AND TO VALIDATE CERTAIN ACTS OF NOTARIES PUBLIC,** with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for June 24. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 778, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING THE EXECUTION OF CORPORATE INSTRUMENTS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for June 24. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representative Hardaway, Chairman for the Standing Committee on Commerce, refers:

S.B. 652, A BILL TO BE ENTITLED AN ACT TO AMEND THE "CLEAN RISK" DEFINITION IN THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY, to the Permanent Subcommittee on Insurance.

On motion of Representative Jack Hunt, seconded by Representative Green, the House adjourns at 4:27 p.m. to reconvene June 21 at 12:30 p.m.

EIGHTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Friday, June 21, 1991

The House meets at 12:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of June 20 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (76-0).

Leaves of absence are granted Representatives Abernethy, Beall, Brubaker, Buchanan, Green, Hardaway, Hightower, Jones, Kahl, Rhodes, and Stewart for today.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

June 19, 1991

The Honorable Daniel T. Blue
Speaker of the House
State Legislative Building
Raleigh, North Carolina 27611

Dear Mr. Speaker:

Pursuant to North Carolina General Statute 126-2(b), I am appointing Mr. Hal L. Scott to the State Personnel Commission to replace Mrs. Joyce O. Lawing who has recently resigned.

This position must be filled by an employee of local government and nominated by the North Carolina Association of County Commissioners. Mr. Scott is the Personnel Director for Randolph County and is the nominee of the Association of County Commissioners.

I have enclosed some additional biographical information on Mr. Scott. Please feel free to contact him should you need any further information or to notify him of any committee meetings that he would need to attend concerning his confirmation.

Sincerely,
S/James G. Martin
Governor

On motion of the Chair, the letter is referred to the Committee on Public Employees.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Mavretic for the Committee on State Government:

S.B. 458, A BILL TO BE ENTITLED AN ACT MAKING TECHNICAL CHANGES TO THE LAWS ADMINISTERED BY THE OFFICE OF THE STATE CONTROLLER AND TO REPEAL OBSOLETE LAWS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for June 25. The original bill is placed on the Unfavorable Calendar.

By Representative James for the Committee on Agriculture:

S.B. 809, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FISHERIES LICENSES BE ISSUED ON A FISCAL YEAR BASIS, INCREASE THE FEE FOR A LICENSE, AND PROVIDE THAT LICENSE AGENTS BE BONDED, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Beall for the Permanent Subcommittee on Forestry, Horticulture and Wildlife of the Standing Committee on Agriculture, with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 530, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON OPEN SEASONS FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN CERTAIN COUNTIES, with a favorable report as to House committee substitute bill, which changes the title and changes bill from local to public, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for June 25. The original bill is placed on the Unfavorable Calendar.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representatives Diamont and Nesbitt for the Committee on Appropriations:

H.B. 1287, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ADMINISTRATIVE OFFICE OF THE COURTS AND TO INCREASE THE MAXIMUM NUMBER OF MAGISTRATES AUTHORIZED FOR CERTAIN COUNTIES, with a favorable report as to committee substitute bill, which changes the title,

unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Jeralds for the Committee on Human Resources:

H.B. 1127, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE IDENTIFICATION OF THE FATHER OF ANY CHILD ELIGIBLE FOR PUBLIC ASSISTANCE, with an unfavorable report.

S.B. 411, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE PERINATAL HEALTH CARE PROGRAM ADVISORY COUNCIL, with a favorable report.

S.B. 717, A BILL TO BE ENTITLED AN ACT TO TO SUPPORT THE ESSENTIAL ACCESS COMMUNITY HOSPITAL (EACH) PROGRAM, with a favorable report.

S.B. 742, A BILL TO BE ENTITLED AN ACT TO AMEND THE REGULATION OF MEDICAL DEVICES BY THE STATE BOARD OF PHARMACY, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for June 25. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 771, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING MENTAL HEALTH CLIENTS' RECORDS,** with a favorable report.

SUBCOMMITTEE REFERRAL

Representatives Hackney and Miller, Chairmen for the Standing Committee on Finance, refer **H.B. 1279, A BILL TO BE ENTITLED AN ACT TO EQUALIZE THE HOMESTEAD EXEMPTION AND TO PHASE OUT THE STATE REIMBURSEMENT TO LOCALITIES FOR A PORTION OF THE LOST TAX REVENUE,** to the Permanent Subcommittee on Ways and Means.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

H.J.R. 1299, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JULIUS REID POOVEY, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

June 20, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees

on **H.B. 996**, A BILL TO BE ENTITLED AN ACT TO COORDINATE THE EFFECTIVE DATE OF CHANGED STATE MEDICAID REIMBURSEMENT AMOUNTS WITH THE DATE FOR WHICH THE CHANGE IS APPROVED BY FEDERAL ADMINISTRATION, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

Committee Substitute for **S.B. 16**, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS, is read the first time and referred to the Committee on Congressional Redistricting.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 605**, A BILL TO BE ENTITLED AN ACT TO CLARIFY PROCEDURAL REQUIREMENTS FOR DISPOSITIONS COMMITTING JUVENILES TO THE DIVISION OF YOUTH SERVICES, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 24.

Senate Committee Substitute for **H.B. 796**, A BILL TO BE ENTITLED AN ACT TO EXTEND TO SAMPSON COUNTY LAWS THAT REQUIRE VACANCIES IN THE OFFICES OF SHERIFF, REGISTER OF DEEDS, AND COUNTY COMMISSIONER TO BE FILLED WITH THE NOMINEE OF THE POLITICAL PARTY EXECUTIVE COMMITTEE OF THE VACATING MEMBER, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for June 24.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Michaux for the Committee on Courts, Justice, Constitutional Amendments and Referenda:

S.B. 465, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE COMMUNITY PENALTIES PROGRAM FROM THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO THE ADMINISTRATIVE OFFICE OF THE COURTS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for June 26. The original bill is placed on the Unfavorable Calendar.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 586**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM IN BRUNSWICK COUNTY ON THE QUESTIONS OF CHANGING THE TERMS OF OFFICE OF THE BRUNSWICK COUNTY BOARD OF COMMISSIONERS AND THE BRUNSWICK COUNTY BOARD OF EDUCATION FROM FOUR YEARS TO TWO YEARS.

On motion of Representative Redwine, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 607**, A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD OF ELECTING THE BOARD OF COMMISSIONERS FOR THE TOWN OF WILLIAMSTON.

On motion of Representative Rogers, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

H.B. 959, A BILL TO BE ENTITLED AN ACT CONCERNING REQUIRED TRAINING OF SUPERVISORS EMPLOYED BY THE STATE WITHIN THE FIRST YEAR OF APPOINTMENT OR PROMOTION.

On motion of Representative Fitch, consideration of the bill is postponed until June 24.

Senate Committee Substitute for **H.B. 865**, A BILL TO BE ENTITLED AN ACT TO ALLOW A LIMITED REPRESENTATIVE TO RECEIVE A LICENSE TO SELL CREDIT PROPERTY INSURANCE AND AUTOMOBILE PHYSICAL DAMAGE INSURANCE ISSUED IN CONNECTION WITH A LOAN.

On motion of Representative Fletcher, consideration of the bill is postponed until June 24.

Committee Substitute for **H.B. 406**, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN TRUCKS REQUIRED TO BE INSPECTED UNDER FEDERAL REGULATIONS FROM HAVING TO ALSO BE INSPECTED UNDER THE STATE INSPECTION PROGRAM.

On motion of Representative Wainwright, consideration of the bill is postponed until June 24.

S.B. 788, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ENERGY DIVISION OF THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO STUDY THE USE OF CLEAN TRANSPORTATION FUELS IN STATE-OWNED VEHICLES AND TO DEVELOP A DEMONSTRATION PROJECT USING NATURAL GAS AS THE FUEL FOR STATE-OWNED VEHICLES.

On motion of Representative Albertson, the bill is withdrawn from the Calendar and re-referred to the Committee on Economic Expansion.

REPRESENTATIVE COLTON, SPEAKER PRO TEMPORE, PRESIDING.

Senate Committee Substitute for **H.B. 175**, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE, CLARIFY, AND IMPROVE THE STATUTES RELATING TO RAILROAD/MOTOR VEHICLE SAFETY.

On motion of Representative Dawkins, the House concurs in the Senate committee substitute, by electronic vote (90-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 241**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE NORTH CAROLINA EDUCATION COUNCIL AND TO MAKE CONFORMING TECHNICAL CHANGES.

On motion of Representative Hege, the House concurs in the Senate committee substitute, by electronic vote (85-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 494**, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE BUSINESS COMMUNITY TO FACILITATE STUDENT ACHIEVEMENT.

On motion of Representative Nesbitt, the House does not concur in the Senate committee substitute, by electronic vote (82-5), and requests conferees.

Senate Committee Substitute for **H.B. 620**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE RECYCLING OF LEAD-ACID BATTERIES AND TO OTHERWISE REGULATE THE DISPOSAL OF LEAD-ACID BATTERIES.

On motion of Representative Gray, the House concurs in the Senate committee substitute, by electronic vote (85-0), and the bill is ordered enrolled.

SPEAKER BLUE PRESIDING.

Senate Committee Substitute for **H.B. 897**, A BILL TO BE ENTITLED AN ACT TO LIMIT REFERRALS OF PROPERTY DAMAGE REPAIR WORK BY ADJUSTERS AND AGENTS.

On motion of Representative Brawley, the House concurs in the Senate committee substitute, by electronic vote (84-0), and the bill is ordered enrolled.

Committee Substitute for **S.B. 590**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF HENDERSONVILLE RELATING TO ASSESSMENTS.

Representative Colton offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnhill, Bowie, Bowman, Brawley, Brown, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Dawkins, Decker, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Gamble, Gardner, Gottovi, Grady, Gray, Grimmer, Hackney, Hege, Hensley, Holt, Huffman, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhyne, Rogers, Russell, Stamey, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 83.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Beall, Brubaker, Buchanan, Green, Hardaway, Hightower, Jones, Kahl, Rhodes, and Stewart - 11.

Committee Substitute for H.B. 1016, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ISSUANCE OF BONDS FOR FINANCING GAS SYSTEMS OR FACILITIES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Bowen, Bowman, Brawley, Brown, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Dawkins, Decker, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Grady, Gray, Grimmer, Hackney, Hege, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Justus, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Michaux, Miller, Morgan, Nesbitt, Oldham, Payne, Privette, Ramsey, Rhyne, Robinson, Rogers, Russell, Stamey, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 83.

Voting in the negative: Representatives DeVane, Dial, Nye, and Redwine - 4.

Excused absences: Representatives Abernethy, Beall, Brubaker, Buchanan, Green, Hardaway, Hightower, Jones, Kahl, Rhodes, and Stewart - 11.

RE-REFERRAL

On motion of Representative Jeralds, H.B. 564, A BILL TO BE ENTITLED AN ACT TO REGULATE THE PRACTICE OF DIETETICS/NUTRITION, is withdrawn from the Permanent Subcommittee on Health and Mental Health and re-referred to the Standing Committee on Human Resources.

SUSPENSION OF RULE 28(e)

On motion of the Chair, Rule 28(e) is suspended in order that the conferees on H.B. 83 may meet on Saturday and Sunday, if needed.

On motion of Representative Jack Hunt, seconded by Representative Barnes, the House adjourns, by electronic vote (83-5), at 1:25 p.m. to reconvene Monday, June 24, 1991, at 6:30 p.m.

NINETIETH DAY

HOUSE OF REPRESENTATIVES
Monday, June 24, 1991

The House meets at 6:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of June 21 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Easterling, Esposito, and Kennedy for today.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Beard for the Permanent Subcommittee on Insurance:

Senate Committee Substitute for H.B. 826, A BILL TO BE ENTITLED AN ACT TO INCREASE THE REQUIRED MINIMUM FINANCIAL RESPONSIBILITY FOR PROPERTY DAMAGE AND TO INCREASE OTHER AMOUNTS IN THE MOTOR VEHICLES LAWS THAT ARE DEPENDENT UPON THE AMOUNT OF REQUIRED MINIMUM FINANCIAL RESPONSIBILITY FOR PROPERTY DAMAGE, reported to the Standing Committee on Commerce, with recommendation that the House do concur.

By Representative Beard for the Permanent Subcommittee on Insurance of the Standing Committee on Commerce, with approval of standing committee chairman for report to be made directly to the floor of the House:

Committee Substitute for S.B. 336, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE NORTH CAROLINA MEDICAL DATABASE COMMISSION, with a favorable report, as amended.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative R. Hunter for the Committee on Judiciary III:

S.B. 817, A BILL TO BE ENTITLED AN ACT TO PROTECT BONA FIDE PURCHASERS FOR VALUE OF REAL PROPERTY

AGAINST JUDGMENTS MORE THAN TEN YEARS OLD THAT ARE TOLLED FOR THE PERIOD OF EXEMPTION BY REQUIRING THE ORDER DESIGNATING EXEMPT PROPERTY TO BE FILED IN THE REGISTER OF DEEDS OFFICE, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for June 26. The original bill is placed on the Unfavorable Calendar.

By Representatives Bowen, Fitch, and Sam Hunt for the Committee on Congressional Redistricting:

Committee Substitute for S.B. 16, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

On motion of Representative Bowen, the rules are suspended, by electronic vote (59-22), and the House committee substitute bill is placed on the Calendar for June 25. The Senate committee substitute bill is placed on the Unfavorable Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for H.B. 352, A BILL TO BE ENTITLED AN ACT TO LIMIT THE NORTH CAROLINA CHILDHOOD VACCINE-RELATED INJURY PROGRAM TO CLAIMANTS WHO ARE PERMITTED BY FEDERAL LAW TO BRING A CIVIL ACTION FOR DAMAGES FOR VACCINE-RELATED INJURY OR DEATH, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 25.

Senate Committee Substitute for H.B. 435, A BILL TO BE ENTITLED AN ACT TO REWRITE AND AMEND THE MOTOR VEHICLE LAWS RELATING TO HANDICAPPED PERSONS, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 25.

Senate Committee Substitute for H.B. 448, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF STOP-WORK ORDERS FOR VIOLATIONS OF THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 25.

H.B. 463, A BILL TO BE ENTITLED AN ACT TO ADD ADDITIONAL ANABOLIC STEROIDS TO THE LIST OF CONTROLLED SUBSTANCES AND TO MAKE OTHER CHANGES TO CONFORM STATE LAW WITH THE FEDERAL LAW REGARDING THE CONTROL OF ANABOLIC STEROIDS, is returned for concurrence in Senate amendment and placed on the Calendar for June 25.

Senate Committee Substitute for H.B. 708, A BILL TO BE ENTITLED AN ACT TO AMEND THE DATE OF PERFECTION FOR

MOTOR VEHICLE LIENS, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 25.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 122, AN ACT TO DEFINE "CAREER STATE EMPLOYEES" AND TO ESTABLISH A DIFFERENT SET OF CRITERIA FOR DETERMINING WHETHER A STATE EMPLOYEE IS SUBJECT TO CHAPTER 126 OF THE GENERAL STATUTES. (CHAPTER 354)

S.B. 123, AN ACT TO AUTHORIZE THE TRANSFER OF PLUMBING AND HEATING LICENSE NUMBERS. (CHAPTER 355)

S.B. 234, AN ACT TO PERMIT REGIONAL SOLID WASTE MANAGEMENT AUTHORITIES TO RECEIVE ANNUAL SALES TAX REFUNDS. (CHAPTER 356)

S.B. 277, AN ACT TO ASSIST STATE AGENCIES IN FILLING VACANCIES WITHIN SHORTAGE OCCUPATIONS, INCLUDING NURSING. (CHAPTER 357)

S.B. 306, AN ACT TO CLARIFY THE LAW REGARDING STATE AND FEDERAL SURPLUS PROPERTY. (CHAPTER 358)

S.B. 372, AN ACT TO MAKE CHANGES TO THE LAW RELATING TO EXEMPTIONS TO CONFIDENTIALITY OF MENTAL HEALTH CLIENTS' RECORDS. (CHAPTER 359)

S.B. 385, AN ACT TO PROTECT THE SECURITY OF OCCUPATIONAL LICENSING EXAMINATIONS. (CHAPTER 360)

S.B. 413, AN ACT TO MODIFY THE STATUTORY DESCRIPTION OF THE STATE FLAG. (CHAPTER 361)

S.B. 427, AN ACT TO PROVIDE A GRACE PERIOD FOR MILITARY PERSONNEL TO RENEW OCCUPATIONAL LICENSES EXPIRING DURING DEPLOYMENT OR ACTIVE DUTY, AND TO DISCOUNT FEES. (CHAPTER 362)

S.B. 488, AN ACT TO REQUIRE REGISTRATION OFFICIALS TO FORWARD TO COUNTY BOARDS OF ELECTIONS COMPLETED APPLICATIONS TO REGISTER NO LATER THAN SEVENTY-TWO HOURS AFTER THE CLOSE OF REGISTRATION. (CHAPTER 363)

S.B. 620, AN ACT TO CHANGE THE MAINTENANCE OF EFFORT PROVISION FOR THE PUBLIC SCHOOLS OF ROBESON COUNTY. (CHAPTER 364)

S.B. 634, AN ACT TO REPEAL ACTS DIRECTING THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO BUILD A REGIONAL BEACH ACCESS FACILITY. (CHAPTER 365)

S.B. 635, AN ACT TO ELIMINATE THE CRIMINAL PENALTY FOR TAKING MIGRATORY GAME BIRDS WITH AN UNPLUGGED OR IMPROPERLY PLUGGED SHOTGUN. (CHAPTER 366)

S.B. 659, AN ACT TO MAKE AMENDMENTS TO STATUTES GOVERNING NATIONAL GUARD AWARDS. (CHAPTER 367)

H.B. 175, AN ACT TO CONSOLIDATE, CLARIFY, AND IMPROVE THE STATUTES RELATING TO RAILROAD/MOTOR VEHICLE SAFETY. (CHAPTER 368)

H.B. 241, AN ACT TO ABOLISH THE NORTH CAROLINA EDUCATION COUNCIL AND TO MAKE CONFORMING TECHNICAL CHANGES. (CHAPTER 369)

H.B. 275, AN ACT TO REPEAL PAMLICO COUNTY LOCAL MODIFICATION TO SUBDIVISION STATUTE. (CHAPTER 370)

H.B. 584, AN ACT TO REQUIRE THE LAW ENFORCEMENT OFFICERS OF THE LOCAL GOVERNMENT LAW ENFORCEMENT UNIT IN WHICH A PRISONER WAS ARRESTED TO PROVIDE TRANSPORTATION TO AND FROM THE ALBEMARLE DISTRICT JAIL. (CHAPTER 371)

H.B. 585, AN ACT TO LIMIT THE LOCATION OF NEW ABC STORES IN BRUNSWICK COUNTY TO NO CLOSER THAN SEVEN MILES TO MUNICIPALITIES WITH EXISTING ABC STORES. (CHAPTER 372)

H.B. 586, AN ACT TO PROVIDE FOR A REFERENDUM IN BRUNSWICK COUNTY ON THE QUESTIONS OF CHANGING THE TERMS OF OFFICE OF THE BRUNSWICK COUNTY BOARD OF COMMISSIONERS AND THE BRUNSWICK COUNTY BOARD OF EDUCATION FROM FOUR YEARS TO TWO YEARS. (CHAPTER 373)

H.B. 607, AN ACT CHANGING THE METHOD OF ELECTING THE BOARD OF COMMISSIONERS FOR THE TOWN OF WILLIAMSTON. (CHAPTER 374)

H.B. 620, AN ACT TO REQUIRE THE RECYCLING OF LEAD-ACID BATTERIES AND TO OTHERWISE REGULATE THE DISPOSAL OF LEAD-ACID BATTERIES. (CHAPTER 375)

H.B. 652, AN ACT TO MODIFY THE MANNER OF FILLING VACANCIES IN THE OFFICE OF THE REGISTERS OF DEEDS OF CAMDEN, CHOWAN, PASQUOTANK, AND PERQUIMANS COUNTIES. (CHAPTER 376)

H.B. 664, AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF FARMVILLE. (CHAPTER 377)

H.B. 711, AN ACT TO REINSTATE THE ORIGINAL NAME OF SR 1632 IN CRAVEN COUNTY AS "NEW ROAD". (CHAPTER 378)

H.B. 720, AN ACT TO EXTEND THE CITY OF DURHAM'S FAIR HOUSING ORDINANCE TO COVER DISCRIMINATION BASED ON FAMILIAL STATUS. (CHAPTER 379)

H.B. 722, AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM RELATING TO DEVELOPMENT PLANS AND SITE PLANS. (CHAPTER 380)

H.B. 724, AN ACT TO CLARIFY THE LAW PERTAINING TO IMMUNIZATION REQUIREMENTS. (CHAPTER 381)

H.B. 730, AN ACT TO ALLOW PASQUOTANK COUNTY TO LEASE CERTAIN LAND FOR TWENTY-FIVE YEARS. (CHAPTER 382)

H.B. 737, AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON WITH RESPECT TO PROPERTY PURCHASES BY THE CITY MANAGER. (CHAPTER 383)

H.B. 797, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF AUTRYVILLE. (CHAPTER 384)

H.B. 819, AN ACT TO AMEND THE ACT REGULATING THE BRUNSWICK COUNTY AIRPORT COMMISSION. (CHAPTER 385)

H.B. 897, AN ACT TO LIMIT REFERRALS OF PROPERTY DAMAGE REPAIR WORK BY ADJUSTERS AND AGENTS. (CHAPTER 386)

H.B. 939, AN ACT TO MAKE IT CLEAR THAT A MEDIATION OR OTHER DISPUTE SETTLEMENT CENTER IS NOT A COLLECTION AGENCY AND THEREFORE NOT SUBJECT TO REGULATION. (CHAPTER 387)

H.B. 996, AN ACT TO COORDINATE THE EFFECTIVE DATE OF CHANGED STATE MEDICAID REIMBURSEMENT AMOUNTS WITH THE DATE FOR WHICH THE CHANGE IS APPROVED BY FEDERAL ADMINISTRATION. (CHAPTER 388)

CALENDAR

Action is taken on the following:

H.J.R. 1299, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JULIUS REID POOVEY, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Greenwood for the Committee on Pensions and Retirement:

Committee Substitute for **H.B. 818**, A BILL TO BE ENTITLED AN ACT TO ALLOW PUBLIC SCHOOL TEACHERS TO CONVERT EXCESS ANNUAL VACATION LEAVE DAYS TO SICK LEAVE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

CALENDAR (continued)

Committee Substitute for **H.B. 406**, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN TRUCKS REQUIRED TO BE INSPECTED UNDER FEDERAL REGULATIONS FROM HAVING TO ALSO BE INSPECTED UNDER THE STATE INSPECTION PROGRAM.

On motion of Representative Anderson, the House concurs in the Senate amendment, by electronic vote (91-1), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 605**, A BILL TO BE ENTITLED AN ACT TO CLARIFY PROCEDURAL REQUIREMENTS FOR DISPOSITIONS COMMITTING JUVENILES TO THE DIVISION OF YOUTH SERVICES.

On motion of Representative Gottovi, the House does not concur in the Senate committee substitute, by electronic vote (88-5), and conferees are requested.

The Speaker announces the appointment of Representatives Gottovi, Barnes, and Flaherty as conferees and the Senate is so notified by Special Message.

Senate Committee Substitute for **H.B. 796**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PENDER COUNTY COMMISSIONERS TO FILL VACANCIES IN THE OFFICES OF COMMISSIONER AND SHERIFF WITH THE NOMINEE OF THE POLITICAL PARTY COMMITTEE OF THE VACATING OFFICIAL, AND TO REQUIRE THE SAMPSON COUNTY COMMISSIONERS TO FILL VACANCIES IN THE OFFICES OF COMMISSIONER, SHERIFF, AND REGISTER OF DEEDS FROM A LIST OF THREE NOMINEES FOR EACH VACANCY MADE BY THE PARTY COMMITTEE OF THE VACATING OFFICIAL.

On motion of Representative Bowen, the House does not concur in the Senate committee substitute, by electronic vote (91-1), and conferees are requested.

The Speaker announces the appointment of Representatives Bowen, Fitch, Sam Hunt, and Albertson as conferees and the Senate is so notified by Special Message.

Senate Committee Substitute for **H.B. 865**, A BILL TO BE ENTITLED AN ACT TO ALLOW A LIMITED REPRESENTATIVE TO RECEIVE A LICENSE TO SELL CREDIT PROPERTY INSURANCE

**AND AUTOMOBILE PHYSICAL DAMAGE INSURANCE ISSUED
IN CONNECTION WITH A LOAN.**

On motion of Representative R. Hunter, the House concurs in the Senate committee substitute, by electronic vote (99-0), and the bill is ordered enrolled.

**Committee Substitute for S.B. 590, A BILL TO BE ENTITLED AN
ACT TO AMEND THE CHARTER OF THE CITY OF
HENDERSONVILLE RELATING TO ASSESSMENTS.**

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Green, Greenwood, Hackney, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jordan, Justus, Kahl, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Smith, Stewart, Tallent, Thompson, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 95.

Voting in the negative: None.

Excused absences: Representatives Easterling, Esposito, Kennedy, and Warner - 4.

Committee Substitute No. 2 for **H.B. 22, A BILL TO BE ENTITLED AN ACT TO REGULATE REVERSE MORTGAGES**, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Hackney, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jordan, Justus, Kahl, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 98.

Voting the in negative: None.

Excused absences: Representatives Easterling, Esposito, Kennedy, and Warner - 4.

Committee Substitute for **H.B. 1016**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ISSUANCE OF BONDS FOR FINANCING GAS SYSTEMS OR FACILITIES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Ethridge, Flaherty, Fletcher, Foster, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Hackney, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jones, Justus, Kahl, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Michaux, Miller, Morgan, Oldham, Pope, Privette, Ramsey, Rhodes, Rhyne, Robinson, Rogers, Russell, Stewart, Tallent, Thompson, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 85.

Voting in the negative: Representatives Nye and Redwine - 2.

Excused absences: Representatives Easterling, Esposito, Kennedy, and Warner - 4.

S.B. 312, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TEACHERS MAY PARTICIPATE IN THE PUBLIC EMPLOYEES' COMPENSATION PLAN, passes its third reading, by electronic vote (92-0), and is ordered enrolled.

RE-REFERRALS

On motion of Representative Jack Hunt, **S.B. 727**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGULATION OF BED AND BREAKFAST INNS, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Economic Expansion.

On motion of Representative Jack Hunt, **S.B. 814**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE ADVISORY COMMITTEE ON HOME AND COMMUNITY CARE FOR OLDER ADULTS, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Human Resources.

On motion of Representative Jack Hunt, seconded by Representative Cunningham, the House adjourns at 7:30 p.m. to reconvene June 25 at 1:30 p.m.

NINETY-FIRST DAY

HOUSE OF REPRESENTATIVES

Tuesday, June 25, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of June 24 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (84-0).

Leaves of absence are granted Representatives Easterling and Hardaway for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Dawkins for the Committee on Judiciary II:

Senate Committee Substitute for **H.B. 520**, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LIABILITY OF PERSONS RESPONDING TO OIL SPILLS, with recommendation that the House concur.

S.B. 281, A BILL TO BE ENTITLED AN ACT TO PROVIDE REVIEW OFFICERS WITH SUBPOENA POWER, with a favorable report.

S.B. 380, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW RELATING TO CHILD SUPPORT PAYORS' NOTICE AND RESPONSIBILITIES, with a favorable report.

S.B. 685, A BILL TO BE ENTITLED AN ACT TO PROVIDE NOTICE TO EACH SECURED PARTY OR OTHER PERSON CLAIMING AN INTEREST IN A MOTOR VEHICLE, WHEN THE HOLDER OF A LIEN ASSERTS HIS LIEN AND PROPOSES SALE OF THE MOTOR VEHICLE TO SATISFY THE LIEN, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representative R. Hunter for the Committee on Judiciary III:

Senate Committee Substitute for **H.B. 563**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA HUMAN RELATIONS COMMISSION TO BRING AN ACTION FOR AN INTERFERENCE OF CIVIL RIGHTS UNDER CHAPTER 99D OF THE GENERAL STATUTES AND TO MAKE OTHER CHANGES TO CHAPTER 99D, with recommendation that the House concur.

By Representative Lutz for the Committee on Local and Regional Government II:

S.B. 564, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF HIGHLANDS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representative Stamey for the Committee on Transportation:

S.B. 131, A BILL TO BE ENTITLED AN ACT TO ALLOW THE FILING OF AN AFFIDAVIT BY THE SECRETARY OF TRANSPORTATION OR BY AN OFFICER OF THE RAILROAD TO STATE AN INTENTION TO PRESERVE A RAILROAD EASEMENT FOR FUTURE TRANSPORTATION PURPOSES AND NEGATE THE PRESUMPTION OF ABANDONMENT, with a favorable report.

S.B. 642, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL ISSUE RULES GOVERNING THE ISSUANCE OF SPECIAL PERMITS FOR VEHICLES OF EXCESSIVE SIZE, WEIGHT, OR NUMBER OF UNITS, with a favorable report.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Beard for the Permanent Subcommittee on Insurance of the Standing Committee on Commerce, with approval of standing committee chairman for report to be made directly to the floor of the House:

Committee Substitute for **S.B. 342**, A BILL TO BE ENTITLED AN ACT TO AMEND AND IMPROVE THE INSURANCE LAWS ON THE MONITORING OF THE FINANCIAL CONDITION OF INSURANCE COMPANIES IN ACCORDANCE WITH THE FINANCIAL REGULATION STANDARDS AND INSURANCE DEPARTMENT ACCREDITATION PROGRAM OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for June 27. The Senate committee substitute bill is placed on the Unfavorable Calendar.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 488, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF A CAPITAL IMPROVEMENTS PROJECT AT WINSTON-SALEM STATE UNIVERSITY, with a favorable report, as amended.

H.B. 490, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 965 OF THE 1989 SESSION LAWS TO PROVIDE CHANGES ONLY WITH RESPECT TO A PROJECT WHOLLY SELF-LIQUIDATING, with a favorable report, as amended.

H.B. 491, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL, with a favorable report, as amended.

H.B. 703, A BILL TO BE ENTITLED AN ACT CONCERNING LOCAL REVENUE OPTIONS FOR WAKE COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for June 27. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 1287**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ADMINISTRATIVE OFFICE OF THE COURTS, TO AUTHORIZE ADDITIONAL COURT PERSONNEL, AND TO ADJUST FEES IN THE GENERAL COURT OF JUSTICE, with a favorable report.

SUBCOMMITTEE REFERRAL

Representatives Hackney and Miller, Chairmen for the Standing Committee on Finance, refer:

H.B. 765, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DURHAM COUNTY TO IMPLEMENT A SYSTEM OF IMPACT FEES, to the Permanent Subcommittee on Local and Regional Government Revenue.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Michaux for the Committee on Courts, Justice, Constitutional Amendments and Referenda:

S.B. 181, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM UNDER THE ADMINISTRATIVE OFFICE OF THE COURTS REGARDING JUVENILE COURT JURISDICTION OVER JUVENILES BETWEEN 16 AND 18 YEARS OF AGE WHO ARE BEYOND THE DISCIPLINARY CONTROL OF THEIR PARENTS, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Jeralds for the Committee on Human Resources:

Committee Substitute for **S.B. 141**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FAMILY PRESERVATION SERVICES, TO ESTABLISH THE ADVISORY COMMITTEE ON

FAMILY-CENTERED SERVICES, AND TO APPROPRIATE FUNDS FOR THE ADVISORY COMMITTEE ON FAMILY-CENTERED SERVICES, with a favorable report, as amended.

S.B. 257, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HUMAN RESOURCES TO ISSUE PROVISIONAL LICENSES FOR DOMICILIARY HOMES AND TO ESTABLISH CERTAIN APPEALS TIME LIMITS, with a favorable report, as amended.

SUBCOMMITTEE REFERRAL

Representative DeVane, Chairman for the Standing Committee on Environment, refers:

S.B. 531, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE EASTERN BAND OF CHEROKEE INDIANS SHALL BE ELIGIBLE TO: (1) BE A MEMBER OF A REGIONAL SOLID WASTE MANAGEMENT AUTHORITY, AND (2) APPLY FOR FINANCING A PROJECT WITH A LOAN FROM THE NORTH CAROLINA SOLID WASTE MANAGEMENT CAPITAL PROJECTS FINANCING AUTHORITY, to the Permanent Subcommittee on Solid Waste.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

June 24, 1991

Mr. Speaker:

Pursuant to your message received June 20, that the House of Representatives fails to concur in the Senate Committee Substitute for **H.B. 587**, A BILL TO BE ENTITLED AN ACT TO ALLOW ATLANTIC BEACH, CAROLINA BEACH, CASWELL BEACH, HOLDEN BEACH, LONG BEACH, OCEAN ISLE BEACH, SUNSET BEACH, TOPSAIL BEACH, WRIGHTSVILLE BEACH, AND YAU-PON BEACH TO REGULATE JET SKIING, AND TO AUTHORIZE REGULATION OF JET SKIING IN LAKE NORMAN, and requests conferees, the President Pro Tempore appoints: Senator Block, Chairman; Senators Lee and Forrester on the part of the Senate to confer with the committee appointed by Your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

S.J.R. 956, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JULIUS REID POOVEY, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **H.B. 324**, A BILL TO BE ENTITLED AN ACT TO REQUIRE COUNTY BOARDS OF ELECTIONS TO FILE COPIES OF CERTAIN ELECTION RETURNS WITH THE SECRETARY OF STATE IN A FORMAT PRESCRIBED BY THE SECRETARY OF STATE, SO AS TO ALLOW PUBLICATION OF THE RETURNS IN A TIMELY MANNER AND IN A READILY ACCESSIBLE FORMAT, is returned for concurrence in Senate amendment and placed on the Calendar for June 26.

Senate Committee Substitute for **H.B. 410**, A BILL TO BE ENTITLED AN ACT TO AMEND THE ENVIRONMENTAL POLICY ACT OF 1971 AND TO MAKE THE ACT PERMANENT, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 26.

Senate Committee Substitute for **H.B. 760**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWNS OF ANGIER, ERWIN, AND LILLINGTON AND THE CITY OF DUNN TO: (1) SEND ONE BILL THAT INCLUDES THE ITEMIZED FEES FOR SOLID WASTE, WATER, AND SEWAGE SERVICES, AND (2) TERMINATE ANY OR ALL SUCH SERVICES IN THE CASE OF NONPAYMENT, WITHIN THIRTY DAYS, OF THE TOTAL AMOUNT DUE FOR ALL SUCH SERVICES COMBINED, is returned for concurrence in Senate committee substitute, which changes the title, and referred to the Committee on Local and Regional Government I.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

Senate Committee Substitute for **H.B. 46**, A BILL TO BE ENTITLED AN ACT TO REQUIRE SALES OF BOTH HIGHWAY AND NONHIGHWAY SPECIAL FUEL TO BE REPORTED, TO ELIMINATE THE REQUIREMENT THAT CERTAIN USERS OF SPECIAL FUEL FILE REPORTS SPECIFYING THEIR USE OF SPECIAL FUEL, TO CHANGE THE MAXIMUM BOND REQUIRED OF FUEL DISTRIBUTORS AND SUPPLIERS, AND TO CHANGE THE METHOD FOR DETERMINING THE AMOUNT OF A BOND PAYABLE BY CERTAIN FUEL IMPORTERS, is returned for concurrence in Senate committee substitute, which is ruled to be material, thus constituting the first reading of the bill and referred to the Committee on Finance.

On motion of Representative Brawley, the bill is withdrawn from the Committee on Finance and placed on the Calendar for June 26 for its second roll call reading for concurrence.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 312, AN ACT TO PROVIDE THAT TEACHERS MAY PARTICIPATE IN THE PUBLIC EMPLOYEES' COMPENSATION PLAN. (CHAPTER 389)

S.B. 501, AN ACT TO AUTHORIZE DUPLIN COUNTY TO ACQUIRE CERTAIN PROPERTY FOR AN INDUSTRIAL SITE. (CHAPTER 390)

S.B. 612, AN ACT TO PROVIDE FOR THE MERGER AND CONSOLIDATION OF THE SCHOOL ADMINISTRATIVE UNITS IN NASH COUNTY AND THE CITY OF ROCKY MOUNT. (CHAPTER 391)

S.B. 622, AN ACT AUTHORIZING ORANGE COUNTY TO LEVY AN OCCUPANCY TAX AND CHAPEL HILL AND CARRBORO TO INCREASE THEIR MOTOR VEHICLE TAXES. (CHAPTER 392)

S.B. 629, AN ACT TO EXEMPT UNION COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE CONSTRUCTION OF A COUNTY DETENTION FACILITY AND TO EXEMPT COLUMBUS COUNTY FROM THOSE REQUIREMENTS IN THE CONSTRUCTION OF A NEW SOCIAL SERVICES FACILITY. (CHAPTER 393)

H.B. 406, AN ACT TO EXEMPT CERTAIN TRUCKS REQUIRED TO BE INSPECTED UNDER FEDERAL REGULATIONS FROM HAVING TO ALSO BE INSPECTED UNDER THE STATE INSPECTION PROGRAM. (CHAPTER 394)

H.B. 602, AN ACT TO PROVIDE THAT IN FILLING A VACANCY ON THE LINCOLN COUNTY AND MACON COUNTY BOARDS OF COMMISSIONERS, THE NOMINEE OF THE PARTY EXECUTIVE COMMITTEE OF THE VACATING MEMBER MUST BE APPOINTED. (CHAPTER 395)

H.B. 681, AN ACT TO PROVIDE FOR THE ANNEXATION OF CAROLINA MILLS, INC., PROPERTY BY THE TOWN OF VALDESE AFTER A FIXED PERIOD OF TIME. (CHAPTER 396)

H.B. 787, AN ACT TO ALLOW AN ADDITIONAL FOUR YEARS FOR THE ACCUMULATION OF MONEY IN THE NORTH CAROLINA CANDIDATES FINANCING FUND AND TO LIMIT THE APPLICATION OF THAT FUND TO THE RACE FOR GOVERNOR, BEGINNING IN 1996. (CHAPTER 397)

H.B. 865, AN ACT TO ALLOW A LIMITED REPRESENTATIVE TO RECEIVE A LICENSE TO SELL CREDIT PROPERTY INSURANCE AND AUTOMOBILE PHYSICAL DAMAGE INSURANCE ISSUED IN CONNECTION WITH A LOAN. (CHAPTER 398)

CALENDAR

Action is taken on the following:

H.B. 959, A BILL TO BE ENTITLED AN ACT CONCERNING REQUIRED TRAINING OF SUPERVISORS EMPLOYED BY THE

STATE WITHIN THE FIRST YEAR OF APPOINTMENT OR PROMOTION.

On motion of Representative Fitch, the House concurs in the Senate amendment, by electronic vote (105-0), and the bill is ordered enrolled.

Senate Committee Substitute for H.B. 352, A BILL TO BE ENTITLED AN ACT TO LIMIT THE NORTH CAROLINA CHILDHOOD VACCINE-RELATED INJURY PROGRAM TO CLAIMANTS WHO ARE PERMITTED BY FEDERAL LAW TO BRING A CIVIL ACTION FOR DAMAGES FOR VACCINE-RELATED INJURY OR DEATH.

On motion of Representative Rhyne, the House concurs in the Senate committee substitute, by electronic vote (99-0), and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for H.B. 435, A BILL TO BE ENTITLED AN ACT TO REWRITE AND AMEND THE MOTOR VEHICLE LAWS RELATING TO HANDICAPPED PERSONS.

On motion of Representative Huffman, the House concurs in the Senate committee substitute, by electronic vote (97-0), and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for H.B. 448, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF STOP-WORK ORDERS FOR VIOLATIONS OF THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973.

On motion of Representative Colton, the House concurs in the Senate committee substitute, by electronic vote (94-10), and the bill is ordered enrolled.

H.B. 463, A BILL TO BE ENTITLED AN ACT TO ADD ADDITIONAL ANABOLIC STEROIDS TO THE LIST OF CONTROLLED SUBSTANCES AND TO MAKE OTHER CHANGES TO CONFORM STATE LAW WITH THE FEDERAL LAW REGARDING THE CONTROL OF ANABOLIC STEROIDS.

On motion of Representative Justus, the House concurs in the Senate amendment, by electronic vote (101-0), and the bill is ordered enrolled.

Senate Committee Substitute for H.B. 708, A BILL TO BE ENTITLED AN ACT TO AMEND THE DATE OF PERFECTION FOR MOTOR VEHICLE LIENS.

On motion of Representative R. Hunter, the House concurs in the Senate committee substitute, by electronic vote (106-0), and the bill is ordered enrolled.

On motion of Representative Jeralds, the rules are suspended and S.B. 141, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR

FAMILY PRESERVATION SERVICES, TO ESTABLISH THE ADVISORY COMMITTEE ON FAMILY-CENTERED SERVICES, AND TO APPROPRIATE FUNDS FOR THE ADVISORY COMMITTEE ON FAMILY-CENTERED SERVICES, is withdrawn from the Calendar for June 26 and placed on the Calendar for immediate consideration.

On motion of Representative Jeralds, Committee Amendment No. 1 is adopted.

On motion of Representative Jeralds, Committee Amendment No. 2 is adopted.

On motion of Representative Jeralds, the bill, as amended, is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representatives Hackney and Miller for the Committee on Finance:

Committee Substitute for **S.B. 107**, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY AND MODERNIZE PRIVILEGE LICENSE TAXES RELATING TO DRY CLEANERS AND LAUNDRIES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for June 27. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Kennedy for the Committee on Judiciary I:

Committee Substitute for **S.B. 398**, A BILL TO BE ENTITLED AN ACT TO AMEND THE BUSINESS CORPORATION ACT AND MAKE A CONFORMING AMENDMENT TO G.S. 47-18.1 AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND TO AMEND G.S. 55-7-28, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for June 27. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 670, A BILL TO BE ENTITLED AN ACT AUTHORIZING WILDLIFE PROTECTORS TO ASSIST IN THE ENFORCEMENT OF LAWS WHEN A CRIME HAS BEEN COMMITTED IN THEIR PRESENCE OR WHEN A STATE OR LOCAL LAW ENFORCEMENT OFFICER HAS REQUESTED THEIR ASSISTANCE, with a favorable report.

S.B. 689, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING CREATION OF A JOINT TENANCY WITH RIGHT OF SURVIVORSHIP, with a favorable report.

S.B. 723, A BILL TO BE ENTITLED AN ACT TO ESTABLISH SAFEGUARDS FOR CONTROLLED SUBSTANCE EXAMINATIONS, with a favorable report as to House committee substitute bill, unfavorable as to Senate bill.

The House committee substitute bill is placed on the Calendar for June 27. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

Committee Substitute No. 2 for **H.B. 734, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COLLEGIATE INSIGNIA REGISTRATION PLATES**, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, DeVane, Dial, Dickson, Dockham, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Fussell, Gamble, Gardner, Gist, Gottovi, Green, Hackney, Hege, Hightower, Holmes, Holt, Huffman, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 94.

Voting in the negative: Representatives Chapin, Creech, Decker, Diamont, Foster, Gray, Grimmer, Hensley, Howard, Kimsey, Ligon, McLaughlin, and Mavretic - 13.

Excused absences: Representatives Easterling and Hardaway - 2.

SUSPENSION OF RULES TO PLACE ON CALENDAR

On motion of Representative Barnes, the rules are suspended and Senate Committee Substitute for **H.B. 923, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCEDURES GOVERNING THE NOMINATION AND ELECTION OF MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA**, is withdrawn from the Committee on Education and placed on the Calendar for June 26.

CALENDAR (continued)

REPRESENTATIVE COLTON, SPEAKER PRO TEMPORE, PRESIDING.

Committee Substitute for **S.B. 39, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NO SAFE DRIVER INCENTIVE PLAN POINTS SHALL BE ASSESSED FOR THE FIRST ACCIDENT WITHIN THREE YEARS IF THERE IS PROPERTY DAMAGE ONLY AND NO MOVING VIOLATION INVOLVED.**

Representative Nesbitt offers Amendment No. 1.

SPEAKER BLUE PRESIDING.

Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by electronic vote (104-2).

Representative Gardner objects to the third reading. The bill remains on the Calendar.

BILL RE-CALENDARED

On motion of Representative Miller, Committee Substitute for **S.B. 107, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY AND MODERNIZE PRIVILEGE LICENSE TAXES RELATING TO DRY CLEANERS AND LAUNDRIES**, is withdrawn from the Calendar for June 27 and placed on the Calendar for June 26.

CALENDAR (continued)

S.B. 249, A BILL TO BE ENTITLED AN ACT TO REMOVE THE LIMIT ON THE PAYMENT FOR EMERGENCY ROAD SERVICE PROVIDED BY MOTOR CLUBS IN NORTH CAROLINA, passes its second reading, by electronic vote (95-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 307, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NOTICE OF CANCELLATION OF MOTOR VEHICLE LIABILITY INSURANCE IS NOT REQUIRED IF A NEW POLICY IS ISSUED AT THE SAME TIME THE OLD POLICY IS TERMINATED OR CANCELLED**, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

REPRESENTATIVE WICKER, HOUSE MAJORITY LEADER, PRESIDING.

House Committee Substitute for **S.B. 343, A BILL TO BE ENTITLED AN ACT AMENDING THE ALCOHOLIC BEVERAGE CONTROL LAWS**, passes its second reading by electronic vote (70-22).

Representative Fussell objects to the third reading. The bill remains on the Calendar.

S.B. 400, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF CULTURAL RESOURCES SHALL ISSUE ARCHAEOLOGICAL PERMITS.

Representative Holt offers Amendment No. 1.

Responding to inquiry by Representative Rhyne, the Chair rules that the amendment does fit the title. Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by electronic vote (90-3).

Representative Pope objects to the third reading. The bill remains on the Calendar.

SPEAKER BLUE PRESIDING.

House Committee Substitute for **S.B. 315, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ROLE OF PHYSICIANS AND OPTOMETRISTS PROMOTING HIGHWAY SAFETY.**

On motion of Representative Dawkins, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

RE-REFERRAL

On motion of Representative Kennedy, **S.B. 401, A BILL TO BE ENTITLED AN ACT TO ALLOW THE EMPLOYMENT SECURITY COMMISSION TO SHARE CERTAIN INFORMATION WITH THE STATE CONTROLLER,** is withdrawn from the Permanent Subcommittee on Labor Relations and Employment and re-referred to the Standing Committee on Economic Expansion.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Jeralds for the Committee on Human Resources:

Committee Substitute for **S.B. 360, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DEFINITION OF "IMMINENT HAZARD" AS IT APPLIES TO CHAPTER 130A OF THE GENERAL STATUTES,** with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for June 27. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 684, A BILL TO BE ENTITLED AN ACT TO ENABLE THE BOARD OF CHIROPRACTIC EXAMINERS TO CERTIFY DIAGNOSTIC IMAGING TECHNICIANS EMPLOYED BY CHIROPRACTORS, with a favorable report, as amended.

S.B. 816, A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW REGARDING THE APPOINTMENT OF COMMISSIONERS OF HOSPITAL AUTHORITIES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for June 27. The original bill is placed on the Unfavorable Calendar.

SUSPENSION OF RULES TO PLACE ON CALENDAR

On motion of Representative DeVane, the rules are suspended and Committee Substitute for **H.B. 1097, A BILL TO BE ENTITLED AN**

ACT TO REQUIRE THAT HAZARDOUS WASTE BE PLACED IN CONTAINERS PRIOR TO DISPOSAL IN A HAZARDOUS WASTE DISPOSAL FACILITY AND TO AMEND THE REQUIREMENTS APPLICABLE TO RESIDENT INSPECTORS ASSIGNED TO SPECIAL PURPOSE COMMERCIAL HAZARDOUS WASTE FACILITIES, is withdrawn from the Committee on Environment and placed on the Calendar for June 27.

CALENDAR (continued)

House Committee Substitute for S.B. 16, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS.

Representative Balmer offers Amendment No. 1 which fails of adoption by electronic vote (36-72).

The bill passes its second reading by electronic vote (74-33).

Representative Rhyne objects to the third reading. The bill remains on the Calendar.

Representative Sam Hunt moves that the rules be suspended in order that the bill may be read a third time.

Representative Sam Hunt withdraws the motion to suspend the rules in order that the bill may be read a third time. The bill remains on the Calendar.

S.B. 273, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA STATE FIREMEN'S ASSOCIATION TO CHANGE ITS NAME AND TO HOLD PROPERTY WITH A VALUE IN EXCESS OF FORTY THOUSAND DOLLARS, passes its second reading by electronic vote (89-0).

Representative Colton objects to the third reading. The bill remains on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

June 25, 1991

Mr. Speaker:

Pursuant to your message received June 24, that the House of Representatives fails to concur in the Senate Committee Substitute for H.B. 605, A BILL TO BE ENTITLED AN ACT TO CLARIFY PROCEDURAL REQUIREMENTS FOR DISPOSITIONS COMMITTING JUVENILES TO THE DIVISION OF YOUTH SERVICES, and requests conferees, the President Pro Tempore appoints: Senator Sands, Chairman; Senators Block and Ballance on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

On motion of Representative Jack Hunt, seconded by Representative Wicker, the House adjourns at 5:25 p.m. to reconvene June 26 at 1:30 p.m.

NINETY-SECOND DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 26, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of June 25 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Easterling, Fletcher, Stamey, and Wainwright for today.

CONFERENCE REPORT

Representative Grady sends forth the following Conference Report and moves its adoption.

H.B. 659

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on **H.B. 659, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING ON, FROM, OR ACROSS THE RIGHT-OF-WAY OF PUBLIC ROADS OR HIGHWAYS IN ONSLOW COUNTY AND TO CHANGE THE LAW REGARDING TRESPASSING ON POSTED LAND IN ONSLOW COUNTY**, wish to report as follows: The House concurs on Senate Amendments No. 1 and No. 2.

To this end the conferees recommend that the Senate and the House of Representatives adopt the foregoing report.

This the 20th day of June 1991.

*Conferees for the
Senate*

S/ James D. Speed
S/ Robert L. Martin
S/ Tommy Pollard

*Conferees for the
House of Representatives*

S/ Robert Grady
S/ Bruce Ethridge
S/ Ronald L. Smith

The Conference Report is adopted, by electronic vote (91-0), and the Senate is so notified by Special Message.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative R. Hunter for the Committee on Judiciary III:

S.B. 792, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IT IS A CLASS I FELONY TO MAKE FALSE BOMB THREATS OR SCARES REGARDING A HOSPITAL FACILITY, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for June 28. The original bill is placed on the Unfavorable Calendar.

S.B. 828, A BILL TO BE ENTITLED AN ACT TO REORGANIZE THE LANGUAGE OF A STATUTE IN ORDER TO MAKE THE STATUTE MORE READABLE, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for June 28. The original bill is placed on the Unfavorable Calendar.

By Representatives Nesbitt and Diamont for the Committee on Appropriations:

H.B. 240, A BILL TO BE ENTITLED AN ACT TO ALLOW AN EXTENSION OF TIME FOR THE TOWN OF GIBSONVILLE TO FILE AN APPLICATION FOR A SALES TAX REFUND, with a favorable report.

H.B. 305, A BILL TO BE ENTITLED AN ACT TO REVISE THE ESSENTIAL ELEMENTS REQUIRED TO PROVE ARMED ROBBERY, with a favorable report.

H.B. 364, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF VOCATIONAL REHABILITATION TO PURCHASE MOTOR VEHICLES TO TRANSPORT CLIENTS, with a favorable report.

H.B. 1014, A BILL TO BE ENTITLED AN ACT TO RESTORE THE TRADITIONAL CHRISTMAS HOLIDAY SCHEDULE TO STATE EMPLOYEES, with a favorable report.

Committee Substitute for **H.B. 1273, A BILL TO BE ENTITLED AN ACT TO ALLOW EMPLOYEES OF THE GENERAL ASSEMBLY TO RECEIVE RETIREMENT CREDIT FOR FULL-TIME TEMPORARY SERVICE WITH OTHER STATE AGENCIES,** with a favorable report.

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 556, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES RELATED TO THE HEARING AID DEALERS AND FITTERS BOARD, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for June 28. The original bill is placed on the Unfavorable Calendar.

H.B. 1160, A BILL TO BE ENTITLED AN ACT TO REPEAL THE NONRESIDENT BEAR HUNTING LICENSE REQUIREMENT IN ORDER TO PROMOTE RECIPROCITY WITH THE STATE OF TENNESSEE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for June 28. The original bill is placed on the Unfavorable Calendar.

H.B. 1163, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING OF A CERTAIN CAPITAL IMPROVEMENT PROJECT BY APPALACHIAN STATE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of Representative Hackney, the rules are suspended and the committee substitute bill is placed on the Calendar for June 27. The original bill is placed on the Unfavorable Calendar.

S.B. 104, A BILL TO BE ENTITLED AN ACT TO ELIMINATE A TAXPAYER'S DEDUCTION FOR CERTAIN CONTRIBUTIONS OF LAND OR CROPS TO ACCOUNT FOR TAX CREDITS ALLOWED FOR THE SAME CONTRIBUTIONS, with a favorable report.

S.B. 114, A BILL TO BE ENTITLED AN ACT TO REPEAL INHERITANCE TAX EXEMPTIONS FOR CERTAIN TYPES OF PROPERTY, with a favorable report.

S.B. 198, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PROCESSING FEE FOR BAD CHECKS, with a favorable report.

Committee Substitute for **S.B. 316, A BILL TO BE ENTITLED AN ACT TO INCREASE FEES CHARGED BY THE BOARD OF PODIATRY EXAMINERS, TO PROVIDE FOR TEMPORARY PODIATRY LICENSES, AND TO REVISE PROVISIONS FOR APPLICANTS LICENSED IN OTHER STATES**, with a favorable report.

Committee Substitute for **S.B. 359, A BILL TO BE ENTITLED AN ACT TO TRANSFER AUTHORITY TO SET FEES FOR SCREENING TESTS FOR ASBESTOSIS OR SILICOSIS TO THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES**, with a favorable report.

S.B. 585, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO CHANGE THE MANNER IN WHICH CORNER LOT RELIEF FROM SPECIAL ASSESSMENTS FOR WATER AND SEWER PROJECTS IS CALCULATED, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for June 28. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for S.B. 697, A BILL TO BE ENTITLED AN ACT TO ALLOW AN ADDITIONAL 180-DAY PERIOD FOR DEPLOYED ARMED FORCES PERSONNEL AND SUPPORT PERSONNEL TO FILE STATE TAX RETURNS AND TO CONFORM THE STATE INCOME TAX ABATEMENT PROVISIONS CONCERNING MILITARY PERSONNEL TO FEDERAL LAW, with a favorable report.

SUBCOMMITTEE REFERRALS

Representatives Hackney and Miller, Chairmen for the Standing Committee on Finance, refer:

H.B. 1257, A BILL TO BE ENTITLED AN ACT TO REQUIRE A GENERAL REAPPRAISAL OF REAL PROPERTY WHEN THE LEVEL OF ASSESSMENT IN THE COUNTY IS SIGNIFICANTLY BELOW FAIR MARKET VALUE, to the Permanent Subcommittee on Ways and Means.

H.B. 1283, A BILL TO BE ENTITLED AN ACT TO INDEX THE AMOUNT OF THE PROPERTY TAX HOMESTEAD EXEMPTION AND THE AMOUNT OF THE INCOME LIMIT FOR ELIGIBILITY FOR THE EXEMPTION, to the Permanent Subcommittee on Ways and Means.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Beard for the Permanent Subcommittee on Insurance of the Standing Committee on Commerce, with approval of standing committee chairman for report to be made directly to the floor of the House:

Committee Substitute for S.B. 339, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS SUBSTANTIVE AMENDMENTS TO THE INSURANCE LAWS AND OTHER LAWS RELATED TO THE DEPARTMENT OF INSURANCE, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for June 28. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 25, 1991

Mr. Speaker:

Pursuant to your message received June 24, that the House of Representatives fails to concur in Senate Committee Substitute for H.B. 796, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PENDER COUNTY COMMISSIONERS TO FILL VACANCIES IN THE OFFICES OF COMMISSIONER AND SHERIFF WITH THE

NOMINEE OF THE POLITICAL PARTY COMMITTEE OF THE VACATING OFFICIAL, AND TO REQUIRE THE SAMPSON COUNTY COMMISSIONERS TO FILL VACANCIES IN THE OFFICES OF COMMISSIONER, SHERIFF, AND REGISTER OF DEEDS FROM A LIST OF THREE NOMINEES FOR EACH VACANCY MADE BY THE PARTY COMMITTEE OF THE VACATING OFFICIAL, and requests conferees, the President Pro Tempore appoints: Senators Hunt, Kaplan, Sands, and Daughtry on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 25, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute for S.B. 227, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM BENEFITS WHICH THE INSURANCE COMMISSIONER MAY AUTHORIZE TO BE PAID BY CERTAIN FRATERNAL BENEFIT SOCIETIES AND TO EXTEND THE PERIOD OF TIME FOR QUALIFYING FOR THE MEDICARE SUPPLEMENT AND LONG-TERM CARE INSURANCE SUPPLEMENTAL LICENSE, and requests conferees, the President Pro Tempore appoints: Senators Odom, Seymour, and Soles on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker announces the appointment of Representatives Hasty, Beard, and Oldham as conferees and the Senate is so notified by Special Message.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Senate Committee Substitute for H.B. 682, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FINE FOR VIOLATIONS OF CERTAIN NEW HANOVER COUNTY ORDINANCES AND OF CERTAIN ORDINANCES OF THE MUNICIPALITIES THEREIN, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for June 27.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Hasty for the Committee on Economic Expansion:

S.B. 401, A BILL TO BE ENTITLED AN ACT TO ALLOW THE EMPLOYMENT SECURITY COMMISSION TO SHARE CERTAIN INFORMATION WITH THE STATE CONTROLLER, with a favorable report.

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

H.B. 345, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MINIMUM WAGE AND TO PROVIDE FOR A TRAINING WAGE FOR ELIGIBLE EMPLOYEES, with an indefinite postponement report.

H.J.R. 1300, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CARL WILLIAM RULLMAN, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 183, AN ACT TO REQUIRE STATE AGENCIES STUDY HOW BEST TO COORDINATE STATE AGENCIES' PROGRAMS AND SERVICES FOR THE HOMELESS. (CHAPTER 399)

S.B. 225, AN ACT TO GIVE LOCAL BOARDS OF EDUCATION ELECTED ON A DISTRICT BASIS SIMILAR POWER AS CITIES TO REDISTRICT. (CHAPTER 400)

S.B. 249, AN ACT TO REMOVE THE LIMIT ON THE PAYMENT FOR EMERGENCY ROAD SERVICE PROVIDED BY MOTOR CLUBS IN NORTH CAROLINA. (CHAPTER 401)

S.B. 307, AN ACT TO PROVIDE THAT NOTICE OF CANCELLATION OF MOTOR VEHICLE LIABILITY INSURANCE IS NOT REQUIRED IF A NEW POLICY IS ISSUED AT THE SAME TIME THE OLD POLICY IS TERMINATED OR CANCELLED. (CHAPTER 402)

S.B. 386, AN ACT TO AMEND THOSE PORTIONS OF THE GENERAL STATUTES THAT LIMIT THE ENVIRONMENTAL MANAGEMENT COMMISSION TO THE ADOPTION OF ENVIRONMENTAL RULES REGARDING WATER QUALITY AND AIR QUALITY THAT ARE NO MORE RESTRICTIVE THAN FEDERAL ENVIRONMENTAL REGULATIONS TO PROVIDE THAT AN EVALUATION OF THE IMPACT OF SUCH RULES BE PREPARED BEFORE SUCH RULES ARE ADOPTED. (CHAPTER 403)

S.B. 498, AN ACT TO MERGE THE EDGECOMBE COUNTY AND TARBORO CITY SCHOOL ADMINISTRATIVE UNITS. (CHAPTER 404)

S.B. 516, AN ACT TO AMEND THE LAW REGARDING THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL

DISABILITIES, AND SUBSTANCE ABUSE SERVICES' ADOPTION OF STANDARDS FOR SERVICE DELIVERY TO DEPARTMENT OF CORRECTION INMATES. (CHAPTER 405)

S.B. 522, AN ACT TO CREATE THE NORTH CAROLINA TRAVEL AND TOURISM BOARD. (CHAPTER 406)

S.B. 599, AN ACT PERMITTING THE CHILD OF A LEGISLATOR TO ATTEND SCHOOL IN THE LOCAL SCHOOL ADMINISTRATIVE UNIT IN WHICH HE RESIDES WHILE HIS PARENT SERVES IN THE GENERAL ASSEMBLY. (CHAPTER 407)

S.B. 657, AN ACT TO AMEND THE WORKERS' COMPENSATION ACT REGARDING THE RIGHTS AND REMEDIES OF AN EMPLOYEE, HIS EMPLOYER, AND THE EMPLOYER'S INSURANCE COMPANY AGAINST THIRD PARTIES. (CHAPTER 408)

S.B. 724, AN ACT AMENDING THE UNEMPLOYMENT INSURANCE LAW TO ADD A PROVISION FOR AN "EXTENDED BASE PERIOD". (CHAPTER 409)

H.B. 352, AN ACT TO LIMIT THE NORTH CAROLINA CHILDHOOD VACCINE-RELATED INJURY PROGRAM TO CLAIMANTS WHO ARE PERMITTED BY FEDERAL LAW TO BRING A CIVIL ACTION FOR DAMAGES FOR VACCINE-RELATED INJURY OR DEATH. (CHAPTER 410)

H.B. 435, AN ACT TO REWRITE AND AMEND THE MOTOR VEHICLE LAWS RELATING TO HANDICAPPED PERSONS. (CHAPTER 411)

H.B. 448, AN ACT TO AUTHORIZE THE ISSUANCE OF STOP-WORK ORDERS FOR VIOLATIONS OF THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973. (CHAPTER 412)

H.B. 463, AN ACT TO ADD ADDITIONAL ANABOLIC STEROIDS TO THE LIST OF CONTROLLED SUBSTANCES AND TO MAKE OTHER CHANGES TO CONFORM STATE LAW WITH THE FEDERAL LAW REGARDING THE CONTROL OF ANABOLIC STEROIDS. (CHAPTER 413)

H.B. 708, AN ACT TO AMEND THE DATE OF PERFECTION FOR MOTOR VEHICLE LIENS. (CHAPTER 414)

H.B. 786, AN ACT TO PROVIDE THAT A VIOLATION OF AN ORDINANCE ADOPTED BY A METROPOLITAN SEWERAGE DISTRICT IS A MISDEMEANOR OFFENSE. (CHAPTER 415)

H.B. 959, AN ACT CONCERNING REQUIRED TRAINING OF SUPERVISORS EMPLOYED BY THE STATE WITHIN THE FIRST YEAR OF APPOINTMENT OR PROMOTION. (CHAPTER 416)

H.B. 966, AN ACT TO ALLOW DISSOLUTION OF SANITARY DISTRICTS FOR WHICH NO DISTRICT BOARD MEMBERS HAVE BEEN ELECTED FOR EIGHT YEARS. (CHAPTER 417)

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 46**, A BILL TO BE ENTITLED AN ACT TO REQUIRE SALES OF BOTH HIGHWAY AND NONHIGHWAY SPECIAL FUEL TO BE REPORTED, TO ELIMINATE THE REQUIREMENT THAT CERTAIN USERS OF SPECIAL FUEL FILE REPORTS SPECIFYING THEIR USE OF SPECIAL FUEL, TO CHANGE THE MAXIMUM BOND REQUIRED OF FUEL DISTRIBUTORS AND SUPPLIERS, AND TO CHANGE THE METHOD FOR DETERMINING THE AMOUNT OF A BOND PAYABLE BY CERTAIN FUEL IMPORTERS.

On motion of Representative Brawley, the House concurs in the material Senate committee substitute bill on its second roll call reading for concurrence by the following vote.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnhill, Beall, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Greenwood, Grimmer, Hackney, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Tallent, Thompson, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 97.

Voting in the negative: None.

Excused absences: Representatives Easterling, Fletcher Green, Stamey, and Wainwright - 5.

The bill remains on the Calendar for its third roll call reading for concurrence.

Senate Committee Substitute for House Committee Substitute for **H.B. 520**, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LIABILITY OF PERSONS RESPONDING TO OIL SPILLS.

On motion of Representative Payne, the House concurs in the Senate committee substitute, by electronic vote (100-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 563**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA HUMAN RELATIONS COMMISSION TO BRING AN ACTION FOR AN INTERFERENCE OF CIVIL RIGHTS UNDER CHAPTER 99D OF THE GENERAL STATUTES AND TO MAKE OTHER CHANGES TO CHAPTER 99D.

On motion of Representative Cunningham, the House concurs in the Senate committee substitute, by electronic vote (94-1), and the bill is ordered enrolled.

Committee Substitute for **H.B. 324**, A BILL TO BE ENTITLED AN ACT TO REQUIRE COUNTY BOARDS OF ELECTIONS TO FILE COPIES OF CERTAIN ELECTION RETURNS WITH THE SECRETARY OF STATE IN A FORMAT PRESCRIBED BY THE SECRETARY OF STATE, SO AS TO ALLOW PUBLICATION OF THE RETURNS IN A TIMELY MANNER AND IN A READILY ACCESSIBLE FORMAT.

On motion of Representative Anderson, the House concurs in the Senate amendment, by electronic vote (96-0), and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for **H.B. 410**, A BILL TO BE ENTITLED AN ACT TO AMEND THE ENVIRONMENTAL POLICY ACT OF 1971 AND TO MAKE THE ACT PERMANENT.

On motion of Representative DeVane, the House concurs in the Senate committee substitute, by electronic vote (99-0), and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for **H.B. 923**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCEDURES GOVERNING THE NOMINATION AND ELECTION OF MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

On motion of Representative Warner, the House concurs in the Senate committee substitute, by electronic vote (92-0), and the bill is ordered enrolled.

H.B. 488, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF A CAPITAL IMPROVEMENTS PROJECT AT WINSTON-SALEM STATE UNIVERSITY.

On motion of Representative Nesbitt, Committee Amendment Nos. 1 and 2 are adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Dial, Diamont, Dickson, Dockham, Esposito, Ethridge, Flaherty, Fletcher, Foster, Gamble, Gardner, Grady, Gray, Greenwood, Grimmer, Hackney, Hensley, Hightower, Holmes, Holt, Huffman, Jack Hunt, Judy Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey,

Lewis, Ligon, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 97.

Voting in the negative: None.

Excused absences: Representatives Easterling, Green, Stamey, and Wainwright - 4.

H.B. 490, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 965 OF THE 1989 SESSION LAWS TO PROVIDE CHANGES ONLY WITH RESPECT TO A PROJECT WHOLLY SELF-LIQUIDATING.

On motion of Representative Nesbitt, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Diamont, Dickson, Dockham, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Gamble, Gardner, Grady, Gray, Greenwood, Grimmer, Hackney, Hasty, Hensley, Hightower, Holmes, Holt, Huffman, Judy Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 102.

Voting in the negative: None.

Excused absences: Representatives Easterling, Green, Stamey, and Wainwright - 4.

H.B. 491, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL.

On motion of Representative Nesbitt, Committee Amendment Nos. 1 and 2 are adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Dawkins, Decker, Dial, Diamont, Dickson, Dockham, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Gamble, Gardner, Gottovi, Grady, Gray, Greenwood, Grimmer, Hackney, Hasty, Hensley, Hightower, Holt, Huffman, Jack Hunt, Judy Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Warner, Wilmoth, Wilson, Withrow, and Woodard - 98.

Voting in the negative: Representatives Creech and Ligon - 2.

Excused absences: Representatives Easterling, Green, Stamey, and Wainwright - 4.

Committee Substitute for **H.B. 1287**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ADMINISTRATIVE OFFICE OF THE COURTS, TO AUTHORIZE ADDITIONAL COURT PERSONNEL, AND TO ADJUST FEES IN THE GENERAL COURT OF JUSTICE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Greenwood, Grimmer, Hackney, Hasty, Hege, Hensley, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Russell, Smith, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 99.

Voting in the negative: Representative Decker.

Excused absences: Representatives Easterling, Green, Stamey, and Wainwright - 4.

House Committee Substitute for **S.B. 107**, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY AND MODERNIZE PRIVILEGE LICENSE TAXES RELATING TO DRY CLEANERS AND LAUN-

DRIES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Dawkins, DeVane, Diamont, Dickson, Dockham, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Greenwood, Grimmer, Hardaway, Hege, Hensley, Hightower, Holt, Huffman, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Smith, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Withrow, and Woodard - 95.

Voting in the negative: Representatives Creech, Decker, Howard, Ligon, Russell, and Wilson - 6.

Excused absences: Representatives Easterling, Green, Stamey, and Wainwright - 4.

House Committee Substitute for **S.B. 343, A BILL TO BE ENTITLED AN ACT AMENDING THE ALCOHOLIC BEVERAGE CONTROL LAWS**, passes its third reading, by electronic vote (80-18), and is ordered sent to the Senate for concurrence in House committee substitute.

CONFEREES ANNOUNCED

The Speaker announces the following conferees on **H.B. 494, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE BUSINESS COMMUNITY TO FACILITATE STUDENT ACHIEVEMENT**, Representatives Nesbitt, Barnes, Rogers, Black, and Barnhill and the Senate is so notified by Special Message.

CALENDAR (continued)

S.B. 400, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF CULTURAL RESOURCES SHALL ISSUE ARCHAEOLOGICAL PERMITS.

The bill, as amended, passes its third reading, by electronic vote (90-2), and is ordered sent to the Senate for concurrence in House amendment.

Committee Substitute for **S.B. 39, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NO SAFE DRIVER INCENTIVE PLAN POINTS SHALL BE ASSESSED FOR THE FIRST ACCIDENT WITHIN THREE YEARS IF THERE IS PROPERTY DAMAGE ONLY AND NO MOVING VIOLATION INVOLVED.**

The bill, as amended, passes its third reading, by electronic vote (92-3), and is ordered sent to the Senate for concurrence in House amendment.

S.B. 273, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA STATE FIREMEN'S ASSOCIATION TO CHANGE ITS NAME AND TO HOLD PROPERTY WITH A VALUE IN EXCESS OF FORTY THOUSAND DOLLARS, passes its third reading, by electronic vote (91-0), and is ordered enrolled.

House Committee Substitute for **S.B. 16**, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS.

Representative Justus offers Amendment No. 2 which fails of adoption by electronic vote (28-78).

The bill passes its third reading, by electronic vote (80-29), and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

S.B. 396, A BILL TO BE ENTITLED AN ACT GOVERNING THE VOTING OF SHARES OF CORPORATE STOCK OR OTHER SECURITIES BY JOINT PERSONAL REPRESENTATIVES AND CO-TRUSTEES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative Flaherty, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

SUSPENSION OF RULES TO INTRODUCE BILL

On motion of Representative Barnes, Rule 31.1(b) is suspended by a two-thirds majority vote in order for a bill to be filed.

CALENDAR (continued)

S.B. 696, A BILL TO BE ENTITLED AN ACT TO REQUIRE EXECUTION UPON THE PROPERTY OF A DEBTOR OF A JUDGMENT DEBTOR WHEN THE EXECUTION AGAINST THE PROPERTY OF THE JUDGMENT DEBTOR IS RETURNED UNSATISFIED, passes its second reading, by electronic vote (95-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 774**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE USE OF FISCAL YEARS FOR PROBATE ACCOUNTING PURPOSES.

On motion of Representative R. Hunter, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

S.B. 706, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ENFORCEMENT OF CERTAIN NORTH CAROLINA LAWS REGARDING CORPORATE ACQUISITIONS, passes its second reading by electronic vote (88-1).

Representative Mavretic objects to the third reading. The bill remains on the Calendar.

RE-REFERRAL

On motion of Representative Hardaway, House Committee Substitute for **S.B. 342, A BILL TO BE ENTITLED AN ACT TO AMEND AND IMPROVE THE INSURANCE LAWS ON THE MONITORING OF THE FINANCIAL CONDITION OF INSURANCE COMPANIES IN ACCORDANCE WITH THE FINANCIAL REGULATION STANDARDS AND INSURANCE DEPARTMENT ACCREDITATION PROGRAM OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS**, is withdrawn from the Calendar for June 27 and re-referred to the Committee on Finance.

CALENDAR (continued)

House Committee Substitute for Senate Committee Substitute for **S.B. 245, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE ENFORCEMENT PROVISIONS OF THE NORTH CAROLINA SECURITIES ACT AND THE INVESTMENT ADVISERS ACT**, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

House Committee Substitute for **S.B. 34, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE USE OF THE RULE OF 78s AS IT PERTAINS TO INSTALLMENT LOANS SECURED BY REAL PROPERTY OR MOBILE HOMES**.

On motion of Representative Hardaway, consideration of the bill is postponed until July 2.

Committee Substitute for **S.B. 237, A BILL TO BE ENTITLED AN ACT TO REQUIRE EMPLOYERS TO PROVIDE MEDICAL, HOSPITAL, AND DENTAL INSURANCE COVERAGE INFORMATION IN IV-D SUPPORT CASES**, passes its second reading, by electronic vote (82-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 581, A BILL TO BE ENTITLED AN ACT TO AMEND THE LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT, passes its second reading, by electronic vote (88-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute No. 2 for **H.B. 734, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COLLEGIATE INSIGNIA REGISTRATION PLATES**, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Church, Colton, J. W. Crawford, Culp, Dawkins, DeVane, Dial, Dockham, Esposito, Ethridge, Fitch, Fletcher, Foster, Fussell, Gardner, Gist, Grady, Gray, Hackney, Hardaway, Hege, Hensley, Hightower, Holmes, Howard, Huffman, Judy Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Lutz, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Russell, Smith, Stamey, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 87.

Voting in the negative: Representatives Decker, Diamont, and Ligon - 3.

Excused absences: Representatives Dickson, Easterling, Green, and Wainwright - 4.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Kerr for the Permanent Subcommittee on State Revenue:

H.B. 184, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE PARTIAL TAX EXEMPTION FOR FOREIGN SALES CORPORATIONS AND TO MODIFY DEPARTMENT OF REVENUE REPORTING DATES IN ORDER TO PROVIDE SUFFICIENT INFORMATION FOR THE GENERAL ASSEMBLY TO DECIDE WHETHER TO RETAIN THE TAX EXEMPTION, reported to the Standing Committee on Finance, with a favorable recommendation.

CALENDAR (continued)

S.B. 656, A BILL TO BE ENTITLED AN ACT TO REQUIRE AUDITED FINANCIAL STATEMENTS FROM APPLICANTS FOR NEW MOTOR CLUB LICENSES AND TO ALLOW THE COMMISSIONER OF INSURANCE TO REQUIRE AUDITED FINANCIAL STATEMENTS WITH RENEWAL APPLICATIONS, passes its second reading, by electronic vote (89-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 287, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE EMPLOYMENT SECURITY LAW PERTAINING TO CONTRIBUTIONS AND COVERAGE, passes its second

reading, by electronic vote (90-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 319, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW PERTAINING TO WAIVER OF LATE FILING PENALTIES, passes its second reading, by electronic vote (88-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

INTRODUCTION OF BILLS AND RESOLUTIONS

On motion of Representative Barnes, the rules are suspended and the following is introduced and read the first time:

By Representative Barnes:

H.B. 1304, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PRISON POPULATION CAP.

On motion of Representative Barnes, the rules are suspended and the bill is placed on the Calendar.

CALENDAR (continued)

Committee Substitute for **S.B. 336, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE NORTH CAROLINA MEDICAL DATABASE COMMISSION.**

On motion of Representative Hardaway, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by electronic vote (89-0).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Kennedy for the Committee on Judiciary I:

S.B. 716, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO LAWS PERMITTING GRAND JURIES TO INVESTIGATE DRUG-TRAFFICKING CHARGES, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for June 28. The original bill is placed on the Unfavorable Calendar.

CONFERENCE REPORT

Representative Gottovi sends forth the following Conference Report and moves its adoption.

H.B. 605

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on **H.B. 605, A BILL TO BE ENTITLED AN ACT TO CLARIFY PROCEDURAL REQUIREMENTS FOR DISPOSITIONS COMMITTING JUVENILES TO THE DIVISION OF YOUTH SERVICES, Third Edition Engrossed 6/18/91**, wish to report as follows:

The House concurs in the Third Edition Engrossed, and the House and Senate agree to the following amendments:

on page 1, lines 20-21, by rewriting those lines to read:

"contain the findings required by G.S. 7A-651(e) but may decline to do so otherwise. if the Director finds that the criteria specified in this section have been met. A";

and on page 2, lines 6-7, by inserting between those lines a new section to read:

"Sec. 3. G.S. 7A-652(a) reads as rewritten:

'(a) A delinquent juvenile 10 years of age or more may be committed to the Division of Youth Services for placement in one of the residential facilities operated by the Division if the judge finds that the alternatives to commitment as contained in G.S. 7A-647, 7A-648, and 7A-649 have been attempted unsuccessfully or are were considered and found to be inappropriate and that the juvenile's behavior constitutes a threat to persons or property in the community. These findings shall be supported by substantial evidence in the record that the judge determined the needs of the juvenile, determined the appropriate community resources required to meet those needs, and explored and exhausted or considered inappropriate those resources prior to committing the juvenile to the Division.";

and on page 2, line 7, by deleting the number "3" and substituting "4".

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 26th day of June, 1991.

*Conferees for the
Senate*

S/Alexander P. Sands, III
S/Frank W. Ballance, Jr.
S/Franklin L. Block

*Conferees for the
House of Representatives*

S/Karen E. Gottovi
S/Anne Craig Barnes
S/David Thomas Flaherty, Jr.

The Conference Report is adopted, by electronic vote (90-0), and the Senate is so notified by Special Message.

CALENDAR (continued)

S.B. 320, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE EMPLOYMENT SECURITY LAW.

On motion of Representative Hasty, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

S.B. 321, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES TO THE EMPLOYMENT SECURITY LAW, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S.B. 20, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE EXEMPTION FROM CERTAIN DRIVERS LICENSES FOR VOLUNTEER FIREFIGHTERS.

On motion of Representative Kerr, Committee Amendment No. 1 is adopted. This amendment changes the title.

On motion of Representative Warner, Committee Amendment No. 2 is adopted.

The bill, as amended, passes its second reading, by electronic vote (99-0), and remains on the Calendar.

H.B. 1304, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PRISON POPULATION CAP, passes its second reading, by electronic vote (98-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

S.B. 376, A BILL TO BE ENTITLED AN ACT ADOPTING THE RECOMMENDATIONS OF THE MENTAL HEALTH STUDY COMMISSION CONCERNING MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE SERVICES IN JAILS, passes its second reading by electronic vote (93-1).

Representative Hightower objects to the third reading. The bill remains on the Calendar.

House Committee Substitute for S.B. 384, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PROCEDURE FOR ISSUING NONRESIDENT NONCOMPLIANCE REPORTS AND TO MAKE CHANGES REGARDING SUSPENSION AND REVOCATION OF DRIVERS LICENSES.

On motion of Representative Wicker, consideration of the bill is postponed until June 28.

House Committee Substitute for Senate Committee Substitute for S.B. 802, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE POLICY REGARDING WATER WITHDRAWALS AND TO

PROVIDE REMEDIES FOR WATER WITHDRAWALS WHICH ARE CONTRARY TO PUBLIC POLICY, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

House Committee Substitute for **S.B. 688**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE STACKING OF UNINSURED AND UNDERINSURED MOTORIST COVERAGE.

Representative McLaughlin calls the previous question on the passage of the bill and the call is sustained.

The bill passes its second reading by electronic vote (101-2).

Representative Dawkins objects to the third reading. The bill remains on the Calendar.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

S.B. 961, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1991, is read the first time and referred to the Committee on Appropriations.

Committee Substitute for **H.B. 577**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE VILLAGE OF PINEHURST, is returned for concurrence in Senate amendment, which is ruled to be material, thus constituting the first reading of the bill and is placed on the Calendar for June 27 for its second roll call reading for concurrence.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

June 26, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on Committee Substitute for **H.B. 659**, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING ON, FROM, OR ACROSS THE RIGHT-OF-WAY OF PUBLIC ROADS OR HIGHWAYS IN ONSLOW COUNTY AND TO CHANGE THE LAW REGARDING TRESPASSING ON POSTED LAND IN ONSLOW COUNTY. Pursuant to your message that your Honorable Body adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 26, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on Senate Committee Substitute for H.B. 605, A BILL TO BE ENTITLED AN ACT TO CLARIFY PROCEDURAL REQUIREMENTS FOR DISPOSITIONS COMMITTING JUVENILES TO THE DIVISION OF YOUTH SERVICES, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

RE-REFERRALS

On motion of Representative Jack Hunt, S.B. 324, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STUDENT ASSIGNMENT LAW AND TO PROVIDE FOR THE ASSIGNMENT OF CHILDREN OF HOMELESS INDIVIDUALS AND OF HOMELESS CHILDREN, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Education.

On motion of Representative Jack Hunt, S.B. 779, A BILL TO BE ENTITLED AN ACT TO REGULATE RENTAL HOUSING LISTING SERVICES, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Commerce.

SUSPENSION OF RULES TO PLACE ON CALENDAR

On motion of Representative Diamont, the rules are suspended and H.B. 452, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON ANNUAL FEES CHARGED BY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO SUPPORT PUBLIC HEALTH PROGRAMS, AND TO EXEMPT NUTRITION PROGRAMS FOR THE ELDERLY FROM SUCH FEES, is withdrawn from the Committee on Appropriations and placed on today's Calendar.

On motion of Representative Jack Hunt, seconded by Representative Ethridge, the House adjourns at 4:40 p.m. to reconvene June 27 at 1:30 p.m.

NINETY-THIRD DAY

HOUSE OF REPRESENTATIVES
Thursday, June 27, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of June 26 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Abernethy, Bowen, Brubaker, Dickson, Easterling, Ethridge, Nye, and Thompson for today.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Dawkins for the Committee on Judiciary II:

Senate Committee Substitute for **H.B. 204**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SOCIAL SERVICES COMMISSION TO ADOPT RULES PERTAINING TO THE EDUCATION REQUIREMENTS FOR DOMICILIARY HOMES, with recommendation that the House concur.

Committee Substitute for **S.B. 283**, A BILL TO BE ENTITLED AN ACT TO AMEND THE WEIGHTS AND MEASURES ACT, with a favorable report, as amended.

S.B. 284, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR CARRYING A WEAPON ON SCHOOL PREMISES, with a favorable report.

Committee Substitute for **S.B. 329**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AND CLARIFYING AMENDMENTS TO THE NURSING PRACTICE ACT, with a favorable report, as amended.

S.B. 766, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF JUSTICE MAY PROVIDE A CRIMINAL RECORD CHECK TO THE EMPLOYER OF A SCHOOL EMPLOYEE OR POTENTIAL EMPLOYEE WITH THE CONSENT OF THE EMPLOYEE OR APPLICANT, with a favorable report.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 26, 1991

Mr. Speaker:

Pursuant to your message received June 26, 1991, that the House of Representatives fails to concur in the Senate Committee Substitute for

H.B. 494, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE BUSINESS COMMUNITY TO FACILITATE STUDENT ACHIEVEMENT, and requests conferees, the President Pro Tempore appoints: Senator Conder, Chairman; Senators Murphy, Walker, Hunt, and Daughtry on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolve.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

Senate Committee Substitute for **H.B. 873, A BILL TO BE ENTITLED AN ACT TO POSTPONE THE DEADLINE: (1) FOR COMPLETING THE CLASSIFICATION OF WATER SUPPLY WATERSHEDS AND (2) FOR SUBMITTING LOCAL WATER SUPPLY ORDINANCES**, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for June 28.

S.B. 733, A BILL TO BE ENTITLED AN ACT TO QUALIFY THE STATE FOR FUNDING UNDER THE FEDERAL FARMS FOR THE FUTURE ACT, is read the first time and referred to the Committee on Agriculture.

Committee Substitute No. 2 for **S.B. 450, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CERTIFICATION OF WATER POLLUTION CONTROL SYSTEM OPERATORS BY EXPANDING THE FUNCTIONS OF THE WASTEWATER TREATMENT PLANT OPERATORS CERTIFICATION COMMISSION AND TO RENAME THE COMMISSION AS THE WATER POLLUTION CONTROL SYSTEM OPERATORS CERTIFICATION COMMISSION**, is read the first time and referred to the Committee on Finance.

MESSAGE FROM THE SENATE

The following are received from the Senate:

H.B. 851, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TO THE EXTENT A COUNTY PROVIDES LIABILITY INSURANCE TO COUNTY OFFICERS OR EMPLOYEES IT SHALL PROVIDE LIABILITY INSURANCE TO THE REGISTER OF DEEDS, is returned for concurrence in Senate amendment and placed on the Calendar for June 28.

Senate Committee Substitute for **H.B. 942, A BILL TO BE ENTITLED AN ACT TO PROVIDE PRIORITY CONSIDERATION TO STATE EMPLOYEES WHO RECEIVE REDUCTION IN FORCE NOTIFICATION**, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 28.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 27, 1991

Mr. Speaker:

It is ordered that a message be sent the House of Representatives with the information that the Senate fails to concur with your Honorable Body in House Committee Substitute for S.B. 16, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SUBCOMMITTEE REFERRAL

Representatives Hackney and Miller, Chairmen for the Standing Committee on Finance, refer:

H.B. 844, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM PROPERTY TAXATION A CEMETERY'S BURIAL LOTS, to the Permanent Subcommittee on Local and Regional Government Revenue.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Hackney and Miller for the Committee on Finance:

H.B. 487, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ALLOWING TAX CREDITS FOR QUALIFIED BUSINESS INVESTMENTS, with a favorable report, as amended.

H.B. 1241, A BILL TO BE ENTITLED AN ACT TO REPEAL THE TAX CREDITS FOR QUALIFIED BUSINESS INVESTMENTS MADE ON OR AFTER APRIL 1, 1991, with an indefinite postpone-report.

S.B. 205, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION FOR THE UTILITY REGULATORY FEE STATUTE, with a favorable report.

On motion of Representative Miller, the rules are suspended and the bill is placed on today's calendar.

S.B. 564, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF HIGHLANDS, with a favorable report.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 155, AN ACT TO IMPROVE THE ADMINISTRATIVE RULE-MAKING PROCESS. (CHAPTER 418)

S.B. 237, AN ACT TO REQUIRE EMPLOYERS TO PROVIDE MEDICAL, HOSPITAL, AND DENTAL INSURANCE COVERAGE INFORMATION IN IV-D SUPPORT CASES. (CHAPTER 419)

S.B. 273, AN ACT TO AUTHORIZE THE NORTH CAROLINA STATE FIREMEN'S ASSOCIATION TO CHANGE ITS NAME AND TO HOLD PROPERTY WITH A VALUE IN EXCESS OF FORTY THOUSAND DOLLARS. (CHAPTER 420)

S.B. 287, AN ACT TO MAKE CHANGES TO THE EMPLOYMENT SECURITY LAW PERTAINING TO CONTRIBUTIONS AND COVERAGE. (CHAPTER 421)

S.B. 319, AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW PERTAINING TO WAIVER OF LATE FILING PENALTIES. (CHAPTER 422)

S.B. 321, AN ACT TO MAKE CONFORMING CHANGES TO THE EMPLOYMENT SECURITY LAW. (CHAPTER 423)

S.B. 581, AN ACT TO AMEND THE LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT. (CHAPTER 424)

S.B. 656, AN ACT TO REQUIRE AUDITED FINANCIAL STATEMENTS FROM APPLICANTS FOR NEW MOTOR CLUB LICENSES AND TO ALLOW THE COMMISSIONER OF INSURANCE TO REQUIRE AUDITED FINANCIAL STATEMENTS WITH RENEWAL APPLICATIONS. (CHAPTER 425)

S.B. 696, AN ACT TO REQUIRE EXECUTION UPON THE PROPERTY OF A DEBTOR OF A JUDGMENT DEBTOR WHEN THE EXECUTION AGAINST THE PROPERTY OF THE JUDGMENT DEBTOR IS RETURNED UNSATISFIED. (CHAPTER 426)

H.B. 279, AN ACT TO MAKE BENEFIT, ELIGIBILITY, CLARIFYING, AND OTHER TECHNICAL CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN. (CHAPTER 427)

H.B. 324, AN ACT TO REQUIRE COUNTY BOARDS OF ELECTIONS TO FILE COPIES OF CERTAIN ELECTION RETURNS WITH THE SECRETARY OF STATE IN A FORMAT PRESCRIBED BY THE SECRETARY OF STATE, SO AS TO ALLOW PUBLICATION OF THE RETURNS IN A TIMELY MANNER AND IN A READILY ACCESSIBLE FORMAT. (CHAPTER 428)

H.B. 371, AN ACT TO INCREASE THE FEE CHARGED BY THE SECRETARY OF STATE TO CERTIFY A DOCUMENT ON FILE IN THAT OFFICE. (CHAPTER 429)

H.B. 386, AN ACT TO MAKE AMENDMENTS RELATING TO AERONAUTICS. (CHAPTER 430)

H.B. 410, AN ACT TO AMEND THE ENVIRONMENTAL POLICY ACT OF 1971 AND TO MAKE THE ACT PERMANENT. (CHAPTER 431)

H.B. 520, AN ACT TO LIMIT THE LIABILITY OF PERSONS RESPONDING TO OIL SPILLS. (CHAPTER 432)

H.B. 563, AN ACT TO AUTHORIZE THE NORTH CAROLINA HUMAN RELATIONS COMMISSION TO BRING AN ACTION FOR AN INTERFERENCE OF CIVIL RIGHTS UNDER CHAPTER 99D OF THE GENERAL STATUTES AND TO MAKE OTHER CHANGES TO CHAPTER 99D. (CHAPTER 433)

H.B. 605, AN ACT TO CLARIFY PROCEDURAL REQUIREMENTS FOR DISPOSITIONS COMMITTING JUVENILES TO THE DIVISION OF YOUTH SERVICES. (CHAPTER 434)

H.B. 659, AN ACT TO REGULATE HUNTING ON, FROM, OR ACROSS THE RIGHT-OF-WAY OF PUBLIC ROADS OR HIGHWAYS IN ONSLOW COUNTY AND TO CHANGE THE LAW REGARDING TRESPASSING ON POSTED LAND IN ONSLOW COUNTY. (CHAPTER 435)

H.B. 923, AN ACT TO CLARIFY THE PROCEDURES GOVERNING THE NOMINATION AND ELECTION OF MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA. (CHAPTER 436)

H.B. 1304, AN ACT TO MODIFY THE PRISON POPULATION CAP. (CHAPTER 437)

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 577**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE VILLAGE OF PINEHURST.

On motion of Representative Morgan, the House concurs in the material Senate amendment on its second roll call reading by the following vote.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Dockham, Esposito, Fitch, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Oldham, Payne, Pope, Privette, Ramsey, Rhodes, Rhyne, Rogers, Russell, Smith, Stamey,

Stewart, Tallent, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 101.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Dickson, Easterling, Ethridge, Nye, and Thompson - 8.

The bill remains on the Calendar for concurrence in Senate amendment on its third roll call reading.

Senate Committee Substitute for H.B. 46, A BILL TO BE ENTITLED AN ACT TO REQUIRE SALES OF BOTH HIGHWAY AND NONHIGHWAY SPECIAL FUEL TO BE REPORTED, TO ELIMINATE THE REQUIREMENT THAT CERTAIN USERS OF SPECIAL FUEL FILE REPORTS SPECIFYING THEIR USE OF SPECIAL FUEL, TO CHANGE THE MAXIMUM BOND REQUIRED OF FUEL DISTRIBUTORS AND SUPPLIERS, AND TO CHANGE THE METHOD FOR DETERMINING THE AMOUNT OF A BOND PAYABLE BY CERTAIN FUEL IMPORTERS.

On motion of Representative Brawley, the House concurs in the material Senate committee substitute bill on its third roll call reading for concurrence, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dockham, Esposito, Fitch, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Hackney, Hasty, Hege, Hightower, Holmes, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Stamey, Stewart, Tallent, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 94.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Easterling, Ethridge, Nye, and Thompson - 7.

Senate Committee Substitute for House Committee Substitute for H.B. 1097, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT HAZARDOUS WASTE BE PLACED IN CONTAINERS PRIOR TO DISPOSAL IN A HAZARDOUS WASTE DISPOSAL FACILITY AND TO AMEND THE REQUIREMENTS APPLICABLE TO RESIDENT INSPECTORS ASSIGNED TO SPECIAL PURPOSE COMMERCIAL HAZARDOUS WASTE FACILITIES.

On motion of Representative Hightower, the House concurs in the Senate committee substitute, by electronic vote (93-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 682**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FINE FOR VIOLATIONS OF ORDINANCES FROM FIFTY DOLLARS TO FIVE HUNDRED DOLLARS, BUT ONLY IF THE ORDINANCE SPECIFICALLY PROVIDES FOR THE HIGHER PENALTY.

On motion of Representative Gottovi, the House concurs in the Senate committee substitute, by electronic vote (95-5), and the bill is ordered enrolled.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Hardaway for the Committee on Commerce:

Senate Committee Substitute for **H.B. 826**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE REQUIRED MINIMUM FINANCIAL RESPONSIBILITY FOR PROPERTY DAMAGE AND TO INCREASE OTHER AMOUNTS IN THE MOTOR VEHICLES LAWS THAT ARE DEPENDENT UPON THE AMOUNT OF REQUIRED MINIMUM FINANCIAL RESPONSIBILITY FOR PROPERTY DAMAGE, with recommendation that the House concur.

CALENDAR (continued)

H.B. 488, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF A CAPITAL IMPROVEMENTS PROJECT AT WINSTON-SALEM STATE UNIVERSITY.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Beard, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Esposito, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Wainwright, Warner, Wicker, Wilmoth, Wilson, Wood, and Woodard - 101.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Easterling, Ethridge, Nye, and Thompson - 7.

H.B. 490, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 965 OF THE 1989 SESSION LAWS TO PROVIDE CHANGES ONLY WITH RESPECT TO A PROJECT WHOLLY SELF-LIQUIDATING.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Beard, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Esposito, Fitch, Fletcher, Foster, Fussell, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Russell, Smith, Stamey, Stewart, Tallent, Wainwright, Warner, Wicker, Wilmoth, Wilson, Wood, and Woodard - 98.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Easterling, Ethridge, Nye, and Thompson - 7.

H.B. 491, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barnes, Beall, Beard, Black, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Esposito, Fitch, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 103.

Voting in the negative: Representatives Barnhill and Ligon - 2.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Easterling, Ethridge, Nye, and Thompson - 7.

Committee Substitute for H.B. 1287, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ADMINISTRATIVE OFFICE OF THE COURTS, TO AUTHORIZE ADDITIONAL COURT PERSONNEL, AND TO ADJUST FEES IN THE GENERAL COURT OF JUSTICE, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Beard, Black, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Esposito, Fitch, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Huffman, Judy Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Wainwright, Warner, Wilmoth, Wilson, Withrow, and Woodard - 100.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Easterling, Ethridge, Nye, and Thompson - 7.

House Committee Substitute for S.B. 107, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY AND MODERNIZE PRIVILEGE LICENSE TAXES RELATING TO DRY CLEANERS AND LAUNDRIES, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Beard, Black, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Esposito, Fitch, Fletcher, Foster, Fussell, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holt, Huffman, Judy Hunt, R. Hunter, Hurley, Isenhower, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Smith, Stamey, Stewart, Tallent, Wainwright, Warner, Wilmoth, Withrow, and Woodard - 90.

Voting in the negative: Representatives Howard, Justus, Ligon, and Wilson - 4.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Easterling, Ethridge, Nye, and Thompson - 7.

Committee Substitute for **H.B. 703**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WAKE COUNTY TO LEVY A ROOM OCCUPANCY TAX AND A PREPARED FOOD AND BEVERAGE TAX.

Representative Pope offers Amendment No. 1.

A division having been called, the amendment fails of adoption by electronic vote (46-53).

Representative Chapin offers Amendment No. 2 which fails of adoption.

Representative Stamey calls the previous question on the passage of the bill and the call is sustained.

The bill fails to pass its second reading by the following vote.

Those voting in the affirmative are: Representatives Barnes, Barnhill, Black, Colton, N. J. Crawford, Cunningham, Diamont, Dickson, Fitch, Fletcher, Foster, Fussell, Gamble, Gottovi, Greenwood, Grimmer, Hackney, Hardaway, Hensley, Holt, Jack Hunt, Judy Hunt, Sam Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Kahl, Kennedy, Lilley, Lineberry, Luebke, Lutz, McGee, McLaughlin, McLawhorn, Nesbitt, Ramsey, Redwine, Rhodes, Rogers, Stamey, Stewart, Wainwright, Wicker, Wilmoth, and Withrow - 50.

Voting in the negative: Representatives Albertson, Anderson, Balmer, Barbee, Beall, Beard, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, J. W. Crawford, Creech, Culp, Dawkins, Decker, DeVane, Dial, Dockham, Esposito, Flaherty, Gardner, Gist, Grady, Gray, Green, Hasty, Hege, Hightower, Holmes, Howard, Huffman, Jones, Justus, Kerr, Kimsey, Lewis, Ligon, Loflin, McAllister, Mavretic, Mercer, Michaux, Miller, Morgan, Oldham, Pope, Privette, Rhyne, Robinson, Russell, Smith, Tallent, Warner, Wilson, and Wood - 58.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Easterling, Ethridge, Nye, and Thompson - 7.

Representative Chapin, having voted with the prevailing side, moves that the vote by which **H.B. 703** failed to pass its second reading be reconsidered and further moves, seconded by Representative Creech, that that motion do lie upon the table.

Representative Sam Hunt moves, seconded by Representative Fitch, that the House do now adjourn to reconvene Friday, June 28 at 11:00 a.m. This motion fails by electronic vote (46-59).

The question before the House is the motion to reconsider the vote by which **H.B. 703** failed to pass its second reading and that that motion do lie upon the table. A division having been called, the tabling motion fails by electronic vote (40-65).

Representative Miller, having voted with the prevailing side, moves that the vote by which the bill failed to pass its second reading be reconsidered.

A division having been called, the motion carries by electronic vote (67-36).

Representative Pope moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Finance.

Representative Green moves, seconded by Representative Barnes, that the motion to re-refer the bill do lie upon the table.

A division having been called, the motion is tabled by electronic vote (57-47).

Representative Pope moves, seconded by Representative Decker, that the House adjourn to reconvene Friday, June 28 at 10:00 a.m. This motion fails.

The question before the House is the passage of the bill on its second roll call reading.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Anderson, Barnes, Barnhill, Beall, Beard, Black, Bowman, Buchanan, Church, Colton, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Fitch, Fletcher, Foster, Fussell, Gamble, Green, Greenwood, Grimmer, Hackney, Hardaway, Hensley, Hightower, Holt, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, Mercer, Michaux, Miller, Nesbitt, Oldham, Ramsey, Redwine, Robinson, Rogers, Smith, Stamey, Stewart, Wainwright, Warner, Wicker, Wilmoth, Withrow, and Woodard - 69.

Voting in the negative: Representatives Albertson, Balmer, Barbee, Brawley, Brown, Chapin, J. W. Crawford, Creech, Culp, Decker, Esposito, Flaherty, Gardner, Gist, Grady, Gray, Hasty, Hege, Holmes, Howard, Huffman, Isenhower, Kerr, Kimsey, Ligon, Loflin, McLawhorn, Mavretic, Morgan, Pope, Privette, Rhyne, Russell, Tallent, Wilson, and Wood - 36.

Excused absences: Representatives Abernethy, Bowen, Bowie, Brubaker, Easterling, Ethridge, and Nye - 7.

Committee Substitute for H.B. 1273, A BILL TO BE ENTITLED AN ACT TO ALLOW EMPLOYEES OF THE GENERAL ASSEMBLY TO RECEIVE RETIREMENT CREDIT FOR FULL-TIME TEMPORARY SERVICE WITH OTHER STATE AGENCIES.

On motion of Representative Anderson, the bill is withdrawn from the Calendar and re-referred to the Committee on Finance.

Committee Substitute for H.B. 1163, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CONSTRUCTION AND THE

FINANCING OF A CERTAIN CAPITAL IMPROVEMENT PROJECT AT APPALACHIAN STATE UNIVERSITY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Diamont, Dickson, Dockham, Esposito, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 101.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Easterling, Ethridge, Nye, and Thompson - 7.

S.B. 104, A BILL TO BE ENTITLED AN ACT TO ELIMINATE A TAXPAYER'S DEDUCTION FOR CERTAIN CONTRIBUTIONS OF LAND OR CROPS TO ACCOUNT FOR TAX CREDITS ALLOWED FOR THE SAME CONTRIBUTIONS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Black, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Esposito, Flaherty, Fletcher, Foster, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Hackney, Hardaway, Hege, Hensley, Hightower, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Stewart, Tallent, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, and Wood - 92.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Easterling, Ethridge, Nye, and Thompson - 7.

S.B. 114, A BILL TO BE ENTITLED AN ACT TO REPEAL INHERITANCE TAX EXEMPTIONS FOR CERTAIN TYPES OF PROPERTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnhill, Beall, Beard, Black, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Esposito, Fletcher, Foster, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Howard, Jack Hunt, Judy Hunt, H. Hunter, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Robinson, Rogers, Stewart, Tallent, Wicker, Wilmoth, Withrow, and Wood - 87.

Voting in the negative: Representatives J. W. Crawford, Decker, Huffman, Russell, and Warner - 5.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Easterling, Ethridge, Nye, and Thompson - 7.

S.B. 198, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PROCESSING FEE FOR BAD CHECKS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barnhill, Beall, Beard, Black, Bowman, Brawley, Brown, Buchanan, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Diamont, Dickson, Dockham, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Grady, Gray, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holt, Howard, Huffman, R. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Lutz, McAllister, McGee, McLawhorn, Mercer, Morgan, Oldham, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Smith, Stamey, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 80.

Voting in the negative: Representatives Chapin, Dial, Gist, Green, Hasty, McLaughlin, Mavretic, and Michaux - 8.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Easterling, Ethridge, Nye, and Pope - 7.

Committee Substitute for S.B. 316, A BILL TO BE ENTITLED AN ACT TO INCREASE FEES CHARGED BY THE BOARD OF PODIATRY EXAMINERS, TO PROVIDE FOR TEMPORARY PODIATRY LICENSES, AND TO REVISE PROVISIONS FOR APPLICANTS LICENSED IN OTHER STATES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Beard, Black, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Diamont, Dickson,

Dockham, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Grimmer, Hackney, Hasty, Hege, Hensley, Holt, Jack Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Lutz, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Morgan, Oldham, Pope, Privette, Ramsey, Redwine, Rhyne, Robinson, Smith, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 86.

Voting in the negative: Representative Dial.

Excused absences: Representatives Abernethy, Bowen, Bowie, Brubaker, Easterling, Ethridge, and Nye - 7.

Committee Substitute for **S.B. 359**, A BILL TO BE ENTITLED AN ACT TO TRANSFER AUTHORITY TO SET FEES FOR SCREENING TESTS FOR ASBESTOSIS OR SILICOSIS TO THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES.

On motion of Representative Kerr, consideration of the bill is postponed until July 3.

H.B. 452, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON ANNUAL FEES CHARGED BY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO SUPPORT PUBLIC HEALTH PROGRAMS, AND TO EXEMPT NUTRITION PROGRAMS FOR THE ELDERLY FROM SUCH FEES.

On motion of Representative Diamont, consideration of the bill is postponed until July 3.

S.B. 205, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION FOR THE UTILITY REGULATORY FEE STATUTE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barnes, Beall, Black, Bowman, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Dawkins, DeVane, Diamont, Dockham, Esposito, Fitch, Flaherty, Foster, Fussell, Gamble, Gottovi, Grady, Gray, Grimmer, Hackney, Hardaway, Hege, Holt, Howard, Jack Hunt, Judy Hunt, Sam Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Lilley, Lineberry, Loflin, Luebke, Lutz, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Oldham, Pope, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Smith, Stamey, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood and Woodard - 81.

Voting in the negative: Representative Decker.

Excused absences: Representatives Abernethy, Bowen, Bowie, Brubaker, Easterling, Ethridge, and Nye - 7.

S.B. 376, A BILL TO BE ENTITLED AN ACT ADOPTING THE RECOMMENDATIONS OF THE MENTAL HEALTH STUDY COMMISSION CONCERNING MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE SERVICES IN JAILS.

Representative R. Hunter offers Amendment No. 1 which is adopted by electronic vote (67-15).

The bill, as amended, passes its third reading, by electronic vote (85-1), and is ordered sent to the Senate for concurrence in House amendment.

S.B. 706, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ENFORCEMENT OF CERTAIN NORTH CAROLINA LAWS REGARDING CORPORATE ACQUISITIONS, passes its third reading, by electronic vote (86-0), and is ordered enrolled.

Committee Substitute for S.B. 336, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE NORTH CAROLINA MEDICAL DATABASE COMMISSION.

The bill, as amended, passes its third reading, by electronic vote (81-3), and is ordered sent to the Senate for concurrence in House amendment.

Committee Substitute for S.B. 20, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXEMPTION FROM CERTAIN DRIVERS LICENSES FOR PUBLIC SAFETY WORKERS.

The bill, as amended, passes its third reading, by electronic vote (84-0), and is ordered sent to the Senate for concurrence in House amendments.

House Committee Substitute for S.B. 688, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE STACKING OF UNINSURED AND UNDERINSURED MOTORIST COVERAGE.

Representative Wicker offers Amendment No. 1 which is adopted by electronic vote (92-0).

The bill, as amended, passes its third reading, by electronic vote (97-0), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

S.B. 12, A BILL TO BE ENTITLED AN ACT MAKING THE ADMINISTRATIVE RULE-MAKING PROCESS MORE UNIFORM AND TO CLARIFY THE SCOPE OF A RULE.

On motion of Representative Dawkins, Committee Amendment No. 1 is adopted.

Representative Dawkins offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (77-8), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendments.

S.B. 762, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON CONVICTED OF POSSESSION OF A CONTROLLED SUBSTANCE ON PRISON OR JAIL PREMISES SHALL BE GUILTY OF A CLASS I FELONY.

On motion of Representative Dawkins, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Hasty for the Committee on Economic Expansion:

S.B. 788, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ENERGY DIVISION OF THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO STUDY THE USE OF CLEAN TRANSPORTATION FUELS IN STATE-OWNED VEHICLES AND TO DEVELOP A DEMONSTRATION PROJECT USING NATURAL GAS AS THE FUEL FOR STATE-OWNED VEHICLES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of Representative Mavretic, the House committee substitute bill is re-referred to the Committee on State Government. The original bill is placed on the Unfavorable Calendar.

By Representative Michaux for the Committee on Courts, Justice, Constitutional Amendments and Referenda:

Committee Substitute for S.B. 232, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE ELECTION OF THE GOVERNOR, LIEUTENANT GOVERNOR, AND THE REST OF THE COUNCIL OF STATE TO THE NONPRESIDENTIAL EVEN-NUMBERED YEAR, WITH SIX-YEAR TRANSITIONAL TERMS TO BE FILLED BY THE 1992 ELECTIONS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for July 1. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 9, A BILL TO BE ENTITLED AN ACT TO MAKE THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION THE CHAIRMAN OF THE STATE BOARD OF EDUCATION, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for July 1. The original bill is placed on the Unfavorable Calendar.

S.B. 470, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MAGISTRATES TO ISSUE CUSTODY ORDERS FOR TRANSPORTATION OF CLIENTS BETWEEN TWENTY-FOUR-HOUR FACILITIES, with a favorable report.

Committee Substitute for **S.B. 485, A BILL TO BE ENTITLED AN ACT TO REFORM THE ELECTION LAWS,** with a favorable report, as amended.

CALENDAR (continued)

S.B. 934, A BILL TO BE ENTITLED AN ACT TO PERMIT COMMITMENT TO SATELLITE JAIL/WORK RELEASE UNITS.

On motion of Representative Dawkins, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (83-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representatives Hackney and Miller for the Committee on Finance:

Committee Substitute for **S.B. 449, A BILL TO BE ENTITLED AN ACT TO REQUIRE OPERATING PERMITS FOR COMMUNITY WATER SYSTEMS REGULATED UNDER THE NORTH CAROLINA DRINKING WATER ACT AND TO AUTHORIZE THE COLLECTION OF FEES FOR SUCH PERMITS,** with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

On motion of Representative Hackney, the rules are suspended and the House committee substitute bill is placed on the Calendar for June 28 for its second roll call reading. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Jeralds for the Committee on Human Resources:

Committee Substitute for **H.B. 542, A BILL TO BE ENTITLED AN ACT TO BEGIN THE PROCESS OF ADOPTING A REFORMED, UNIVERSAL, STATE-ADMINISTERED CHILD SUPPORT SYSTEM IN NORTH CAROLINA,** with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 564**, A BILL TO BE ENTITLED AN ACT TO REGULATE THE PRACTICE OF DIETETICS/NUTRITION, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

H.B. 1014, A BILL TO BE ENTITLED AN ACT TO RESTORE THE TRADITIONAL CHRISTMAS HOLIDAY SCHEDULE TO STATE EMPLOYEES.

On motion of Representative Fitch, consideration of the bill is postponed until June 28.

BILL RE-CALENDARED

On motion of Representative Diamont, **S.B. 359**, A BILL TO BE ENTITLED AN ACT TO TRANSFER AUTHORITY TO SET FEES FOR SCREENING TESTS FOR ASBESTOSIS OR SILICOSIS TO THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, is withdrawn from the Calendar for July 3 and placed on the Calendar for June 28.

RE-REFERRAL

On motion of Representative Diamont, **H.B. 452**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON ANNUAL FEES CHARGED BY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO SUPPORT PUBLIC HEALTH PROGRAMS, AND TO EXEMPT NUTRITION PROGRAMS FOR THE ELDERLY FROM SUCH FEES, is withdrawn from the Calendar for July 3 and placed on today's Calendar.

On motion of Representative Decker, the bill is withdrawn from the Calendar and re-referred to the Committee on Finance.

CALENDAR (continued)

H.B. 240, A BILL TO BE ENTITLED AN ACT TO ALLOW AN EXTENSION OF TIME FOR THE TOWN OF GIBSONVILLE TO FILE AN APPLICATION FOR A SALES TAX REFUND, passes its second reading, by electronic vote (76-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 305, A BILL TO BE ENTITLED AN ACT TO REVISE THE ESSENTIAL ELEMENTS REQUIRED TO PROVE ARMED ROBBERY, passes its second reading, by electronic vote (73-16), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 364, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF VOCATIONAL REHABILITATION TO PURCHASE MOTOR VEHICLES TO TRANSPORT CLIENTS, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

House Committee Substitute for **S.B. 530**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON OPEN SEASONS FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN CERTAIN COUNTIES, TO PROHIBIT HUNTING ON THE LAND OF ANOTHER WITHOUT PERMISSION IN CERTAIN COUNTIES, TO ESTABLISH A SEASON FOR TAKING BEAVER IN CERTAIN COUNTIES, AND TO ESTABLISH A SEASON FOR TAKING FOXES IN EDGECOMBE COUNTY, passes its second reading, by electronic vote (91-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Committee Substitute for **S.B. 697**, A BILL TO BE ENTITLED AN ACT TO ALLOW AN ADDITIONAL 180-DAY PERIOD FOR DEPLOYED ARMED FORCES PERSONNEL AND SUPPORT PERSONNEL TO FILE STATE TAX RETURNS AND TO CONFORM THE STATE INCOME TAX ABATEMENT PROVISIONS CONCERNING MILITARY PERSONNEL TO FEDERAL LAW, passes its second reading, by electronic vote (93-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

CONFERENCE REPORT

Representative Mavretic sends forth the following Conference Report and moves its adoption.

Senate Committee Substitute for **H.B. 662**

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on Senate Committee Substitute for **H.B. 662**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW PROVIDING FOR THE DISPOSITION BY LAUNDRIES AND DRY CLEANERS OF UNCLAIMED GARMENTS AND TO AMEND THE LAW REGARDING DISPOSAL OF UNCLAIMED PROPERTY BY SHERIFFS, Second Edition, Senate Judiciary I Committee Substitute Adopted 5/30/91, wish to report as follows: The House concurs in the Senate Committee Substitute (Second Edition) with the following amendment:

on page 1, lines 17-19, rewrite those lines to read:

"after a notice has been mailed by certified mail, return receipt requested, to the last known address of the owner of the garment, clothing, or other article, stating that the article will be disposed of unless it is redeemed within 30 days of the mailing of the notice."

And the Senate agrees to the same.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 26th day of June, 1991.

*Conferees for the
Senate*

S/ R. C. Soles, Jr.
S/ Herbert L. Hyde
S/ Howard N. Lee
S/ Daniel R. Simpson

*Conferees for the
House of Representatives*

S/ J. L. Mavretic
S/ Julia C. Howard
S/ Wade F. Wilmoth

The Conference Report is adopted, by electronic vote (90-0), and the Senate is so notified by Special Message.

RE-REFERRAL

On motion of the Chair, **H.B. 15, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A BINDING REFERENDUM ON THE ESTABLISHMENT OF A NORTH CAROLINA STATE LOTTERY**, is re-referred to the Committee on Finance.

CALENDAR (continued)

H.J.R. 1300, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CARL WILLIAM RULLMAN, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY.

On motion of Representative Isenhower, consideration of the bill is postponed until July 1.

On motion of Representative Jack Hunt, seconded by Representative Hackney, the House adjourns, by electronic vote (91-2), at 4:55 p.m. to reconvene June 28 at 11:00 a.m.

NINETY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Friday, June 28, 1991

The House meets at 11:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of June 27 has been examined and

found correct. Upon his motion, the Journal is approved as written by electronic vote (81-0).

Leaves of absence are granted Representatives Abernethy, Bowen, Brubaker, Chapin, Easterling, Grady, Green, Sam Hunt, and Rhodes for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Kennedy for the Committee on Judiciary I:

S.B. 403, A BILL TO BE ENTITLED AN ACT TO PROVIDE INCREASED SENTENCES FOR CRIMES COMMITTED WITH ETHNIC ANIMOSITY, with a favorable report.

By Representative Gist for the Committee on Local and Regional Government I:

Senate Committee Substitute for **H.B. 760, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN MUNICIPALITIES TO SEND ONE ITEMIZED BILL FOR SOLID WASTE, WATER, AND SEWAGE SERVICES, AND TO PROVIDE FOR TERMINATION OF SERVICES FOR NONPAYMENT**, with recommendation that the House concur.

By Representative Jeralds for the Committee on Human Resources:

S.B. 358, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO IMPOSE A MONETARY PENALTY FOR VIOLATION OF RULES GOVERNING NUTRITION STANDARDS, with a favorable report.

Committee Substitute for **S.B. 760, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING THE QUALIFICATIONS OF NURSING HOME ADMINISTRATORS**, with a favorable report.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 23, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FUEL TAX STATUTES TO ENABLE NORTH CAROLINA TO ENTER THE INTERNATIONAL FUEL TAX AGREEMENT**, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 1.

Senate Committee Substitute for **H.B. 54, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE STATUTES RELATING TO CREDIT UNIONS AND TO INCREASE THE PENALTY FOR SUBMITTING LATE REPORTS TO THE ADMINISTRATOR OF CREDIT UNIONS**, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 1.

Senate Committee Substitute for **H.B. 64**, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE AND SIMPLIFY THE SPECIAL LICENSE PLATE LAWS, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 1.

Senate Committee Substitute for **H.B. 289**, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN CONVEYANCES WHERE SEALS WERE OMITTED OR NOTARY WAS NOT QUALIFIED, CERTAIN NOTICES TO CREDITORS OF DECEDENTS WHERE THE DEADLINE FOR SUBMITTING CLAIMS WAS OMITTED, AND CERTAIN FORECLOSURE SALES, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 1.

Committee Substitute No. 2 for **H.B. 347**, A BILL TO BE ENTITLED AN ACT TO REQUIRE MAMMOGRAM AND PAP SMEAR COVERAGE IN HEALTH AND ACCIDENT INSURANCE POLICIES, IN HOSPITAL OR MEDICAL SERVICES PLANS, AND IN HMO PLANS, is returned for concurrence in Senate amendment and placed on the Calendar for July 1.

Senate Committee Substitute for **H.B. 402**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE DIVISION OF MOTOR VEHICLES TO CORRECT ITS RECORDS USING FORWARDING ADDRESSES FURNISHED BY THE POSTAL SERVICE, is returned for concurrence in Senate committee substitute, which changes the title, and referred to the Committee on Transportation.

Senate Committee Substitute for **H.B. 418**, A BILL TO BE ENTITLED AN ACT TO CODIFY THE COMMON LAW IN RESOLVING INCONSISTENCIES BETWEEN G.S. 8-83 AND G.S. 1A-1, RULE 32 REGARDING THE ADMISSION OF DEPOSITIONS AT TRIAL AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 1.

Committee Substitute for **H.B. 420**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AMENDMENTS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is returned for concurrence in Senate amendment and referred to the Committee on Judiciary I.

Committee Substitute for **H.B. 455**, A BILL TO BE ENTITLED AN ACT TO CONFORM CERTAIN PROVISIONS OF THE WAGE AND HOUR ACT TO FEDERAL LAW, is returned for concurrence in Senate amendment and placed on the Calendar for July 1.

Senate Committee Substitute for **H.B. 479**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONSENT TO ADOPTION IS NOT REVOCABLE AFTER A CERTAIN PERIOD OF TIME, is returned for concurrence in Senate committee substitute, which changes the title, and referred to the Committee on Judiciary II.

Senate Committee Substitute for **H.B. 513**, A BILL TO BE ENTITLED AN ACT TO CREATE THE MISDEMEANOR OFFENSE

OF ETHNIC INTIMIDATION AND TO ADD ETHNIC ANIMOSITY AS AN AGGRAVATING FACTOR TO BE CONSIDERED IN FELONY SENTENCES, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 1.

Senate Committee Substitute for H.B. 516, A BILL TO BE ENTITLED AN ACT REQUIRING TRAFFIC SIGNS AND OTHER TRAFFIC CONTROL DEVICES ON ALL HIGHWAYS AND PUBLIC VEHICULAR AREAS TO CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 1.

H.B. 604, A BILL TO BE ENTITLED AN ACT TO INCREASE THE SURETY BOND TO BE SUBMITTED BY AN APPLICANT FOR A LICENSE AS A MOTOR VEHICLE DEALER, MANUFACTURER, DISTRIBUTION BRANCH, OR FACTORY BRANCH, is returned for concurrence in Senate amendment and placed on the Calendar for July 1.

H.B. 624, A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITIES OF BURKE COUNTY AND THE MUNICIPALITIES THEREIN TO UNDERTAKE LOCAL DEVELOPMENT ACTIVITIES, is returned for concurrence in two Senate amendments and placed on the Calendar for July 1.

Senate Committee Substitute for H.B. 667, A BILL TO BE ENTITLED AN ACT TO REQUIRE AN APPLICANT SEEKING A PERMIT NOT DISCHARGING TO THE SURFACE WATERS OF THE STATE TO PROVIDE NOTICE TO EACH CITY AND COUNTY GOVERNMENT HAVING JURISDICTION OVER THE PROPOSED PERMIT, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 1.

Senate Committee Substitute for H.B. 674, A BILL TO BE ENTITLED AN ACT TO MERGE THE TOWNS OF JONESVILLE AND ARLINGTON IN YADKIN COUNTY, SUBJECT TO A REFERENDUM, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 1.

Senate Committee Substitute for H.B. 801, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATUTORY AUTHORITY OF STANLY COUNTY TO REGULATE THE SUBDIVISION OF LAND, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 1.

H.B. 837, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN LAWS PROHIBITING THE USE OF POLITICAL INFLUENCE CONCERNING STATE EMPLOYMENT, is returned for concurrence in Senate amendment and placed on the Calendar for July 1.

Committee Substitute for H.B. 869, A BILL TO BE ENTITLED AN ACT TO INCREASE EXEMPT PROPERTY VALUES AND CLARIFY THE EFFECT OF EXEMPTIONS, TO AUTHORIZE CERTAIN LOAN AND APPRAISAL FEES, TO AMEND THE

USURY LAWS APPLICABLE TO COMMERCIAL LOANS, TO AUTHORIZE THE IMPOSITION OF AN ANNUAL FEE OR MONTHLY SERVICE CHARGE ON CREDIT PLANS, AND TO AMEND THE LAW REGARDING ASSUMPTION FEES IN CONNECTION WITH CERTAIN REAL ESTATE LOANS, is returned for concurrence in three Senate amendments and placed on the Calendar for July 1.

Senate Committee Substitute for H.B. 925, A BILL TO BE ENTITLED AN ACT TO PROVIDE A GRACE PERIOD FOR PLUMBING AND HEATING CONTRACTORS ELIGIBLE TO OBTAIN A LICENSE WITHOUT EXAMINATION, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 1.

Senate Committee Substitute for H.B. 953, A BILL TO BE ENTITLED AN ACT TO EXEMPT AREA MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE AUTHORITIES FROM CERTAIN PROVISIONS OF THE STATE PERSONNEL ACT, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 1.

Senate Committee Substitute for H.B. 987, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A PERSON MUST BE CONVICTED OF A DRIVING OFFENSE THAT OCCURRED DURING THE PERIOD OF SUSPENSION BEFORE A SUSPENSION MAY BE LENGTHENED BASED ON THAT CONVICTION, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 1.

Senate Committee Substitute for H.B. 1002, A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PROVISIONS CONTAINED IN THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 1.

Senate Committee Substitute for H.B. 1017, A BILL TO BE ENTITLED AN ACT TO PROVIDE SUBPOENA POWER TO ALL MUNICIPALITIES AND TO AUTHORIZE ISSUANCE OF STOP ORDERS FOR VIOLATIONS OF ZONING AND SUBDIVISION ORDINANCES, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 1.

H.B. 1060, A BILL TO BE ENTITLED AN ACT TO INCREASE THE LENGTH OF TIME FOR WHICH THE EFFECTIVE DATE OF A CERTIFICATE OF APPROPRIATENESS MAY BE DELAYED, is returned for concurrence in Senate amendment and placed on the Calendar for July 1.

Committee Substitute for H.B. 1073, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES IN BALLOT INSTRUCTIONS AND BALLOT FORMAT, is returned for concurrence in Senate amendment and placed on the Calendar for July 1.

Senate Committee Substitute for H.B. 1107, A BILL TO BE ENTITLED AN ACT TO ALLOW DOGS IN HOTEL ROOMS AT THE

INNKEEPER'S PREROGATIVE, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 1.

Senate Committee Substitute for **H.B. 1108, A BILL TO BE ENTITLED AN ACT TO ENACT THE PUBLIC BATHROOM EQUITY ACT**, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 1.

Senate Committee Substitute for **H.B. 1131, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DEMOLITION ASPHALT MAY BE USED AS FILL**, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 1.

Senate Committee Substitute for **H.B. 1236, A BILL TO BE ENTITLED AN ACT TO CONFORM THE CRITERIA FOR DESIGNATION AS A DISTRESSED COUNTY FOR INCOME TAX PURPOSES TO THE CRITERIA USED BY THE INDUSTRIAL DEVELOPMENT FUND**, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 1.

S.B. 263, A BILL TO BE ENTITLED AN ACT TO EXTEND THE PROPERTY TAX EXCLUSION FOR HISTORIC PRESERVATION PROPERTY TO INCLUDE LAND HELD AS A SITE TO WHICH AN HISTORIC BUILDING WILL BE MOVED, is read the first time and referred to the Committee on Finance.

Committee Substitute No. 2 for **S.B. 565, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE POPLAR TENT BEAUTIFICATION DISTRICT IN CABARRUS COUNTY, TO PROVIDE FOR LAND USE PLANNING IN THE DISTRICT, AND TO MAKE SEVERAL LOCAL MODIFICATIONS APPLICABLE WITHIN CABARRUS COUNTY**, is read the first time and referred to the Committee on Local and Regional Government I.

Committee Substitute for **S.B. 682, A BILL TO BE ENTITLED AN ACT TO AMEND STATUTES REGULATING HOUSEMOVING**, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Mavretic for the Committee on State Government:

H.B. 524, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF CULTURAL RESOURCES MAY CONTRACT WITH A NONPROFIT CORPORATION FOR THE MANAGEMENT OF FACILITIES TO PROVIDE FOOD AND BEVERAGES AT THE NORTH CAROLINA MUSEUM OF HISTORY, with an unfavorable report.

H.B. 525, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DUTIES OF THE MUSEUM OF HISTORY REGARDING THE ACCESSION OF HISTORICAL OBJECTS LOCATED IN THE

EXECUTIVE MANSION AND OTHER STATE-OWNED BUILDINGS, with an indefinite postponement report.

S.B. 350, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STATE LIBRARY SHALL ADMINISTER STATE PUBLICATION GUIDELINES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for July 2. The original bill is placed on the Unfavorable Calendar.

S.B. 353, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP AND APPOINTMENT OF THE STATE LIBRARY COMMISSION, with an unfavorable report.

S.B. 354, A BILL TO BE ENTITLED AN ACT TO REVISE THE DUTIES OF THE MEMBERS OF THE STATE LIBRARY COMMISSION, with an unfavorable report.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 590, AN ACT TO AMEND THE CHARTER OF THE CITY OF HENDERSONVILLE RELATING TO ASSESSMENTS. (CHAPTER 438)

S.B. 697, AN ACT TO ALLOW AN ADDITIONAL 180-DAY PERIOD FOR DEPLOYED ARMED FORCES PERSONNEL AND SUPPORT PERSONNEL TO FILE STATE TAX RETURNS AND TO CONFORM THE STATE INCOME TAX ABATEMENT PROVISIONS CONCERNING MILITARY PERSONNEL TO FEDERAL LAW. (CHAPTER 439)

S.B. 706, AN ACT TO PROVIDE FOR THE ENFORCEMENT OF CERTAIN NORTH CAROLINA LAWS REGARDING CORPORATE ACQUISITIONS. (CHAPTER 440)

H.B. 46, AN ACT TO REQUIRE SALES OF BOTH HIGHWAY AND NONHIGHWAY SPECIAL FUEL TO BE REPORTED, TO ELIMINATE THE REQUIREMENT THAT CERTAIN USERS OF SPECIAL FUEL FILE REPORTS SPECIFYING THEIR USE OF SPECIAL FUEL, TO CHANGE THE MAXIMUM BOND REQUIRED OF FUEL DISTRIBUTORS AND SUPPLIERS, AND TO CHANGE THE METHOD FOR DETERMINING THE AMOUNT OF A BOND PAYABLE BY CERTAIN FUEL IMPORTERS. (CHAPTER 441)

H.B. 390, AN ACT TO AUTHORIZE FEES FOR PLANT PEST INSPECTION AND CERTIFICATION. (CHAPTER 442)

H.B. 414, AN ACT TO RAISE THE MAXIMUM AMOUNT AND TO LOWER THE SERVICE REQUIREMENT FOR ELIGIBILITY IN THE REGISTER OF DEEDS' SUPPLEMENTAL PENSION FUND. (CHAPTER 443)

H.B. 642, AN ACT TO INCORPORATE CHIMNEY ROCK VILLAGE IN RUTHERFORD COUNTY. (CHAPTER 444)

H.B. 672, AN ACT TO PROVIDE FOR THE FILING PERIOD FOR THE CUMBERLAND COUNTY BOARD OF EDUCATION. (CHAPTER 445)

H.B. 682, AN ACT TO INCREASE THE MAXIMUM FINE FOR VIOLATIONS OF ORDINANCES FROM FIFTY DOLLARS TO FIVE HUNDRED DOLLARS, BUT ONLY IF THE ORDINANCE SPECIFICALLY PROVIDES FOR THE HIGHER PENALTY. (CHAPTER 446)

H.B. 686, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF WALNUT COVE. (CHAPTER 447)

H.B. 884, AN ACT TO CLARIFY THE MANDATORY SEAT BELT LAW. (CHAPTER 448)

H.B. 1064, AN ACT TO AMEND THE AXLE REQUIREMENTS FOR MOTOR HOMES AND CERTAIN TRUCKS. (CHAPTER 449)

H.B. 1097, AN ACT TO REQUIRE THAT HAZARDOUS WASTE BE PLACED IN CONTAINERS PRIOR TO DISPOSAL IN A HAZARDOUS WASTE DISPOSAL FACILITY AND TO AMEND THE REQUIREMENTS APPLICABLE TO RESIDENT INSPECTORS ASSIGNED TO SPECIAL PURPOSE COMMERCIAL HAZARDOUS WASTE FACILITIES. (CHAPTER 450)

H.J.R. 1299, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JULIUS REID POOVEY, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 19)

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 577**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE VILLAGE OF PINEHURST.

The House concurs in the material Senate amendment on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barnes, Barnhill, Beall, Beard, Bowie, Bowman, Brawley, Brown, Buchanan, Church, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Dial, Dickson, Dockham, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gist, Gottovi, Gray, Greenwood, Hackney, Hasty, Hensley, Hightower, Holmes, Howard, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kennedy, Kimsey, Lewis, Ligon, Lineberry, Loflin, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Morgan, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Smith, Stamey, Stewart, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 83.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Chapin, Easterling, Grady, Green, Sam Hunt, and Rhodes - 9.

CONFERENCE REPORT

Representative Hasty sends forth the following Conference Report and moves its adoption.

S.B. 227

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on S.B. 227, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM BENEFITS WHICH THE INSURANCE COMMISSIONER MAY AUTHORIZE TO BE PAID BY CERTAIN FRATERNAL BENEFIT SOCIETIES AND TO EXTEND THE PERIOD OF TIME FOR QUALIFYING FOR THE MEDICARE SUPPLEMENT AND LONG-TERM CARE INSURANCE SUPPLEMENTAL LICENSE, House Committee Substitute Favorable 6/17/91,

wish to report as follows:

The Senate concurs in the House Committee Substitute, Second Edition, and the Senate and House agree to the following amendments:

on page 2, line 24, by deleting the date "December 31, 1991," and substituting the date "December 31, 1990,";

and on page 2, lines 30-31, by inserting between those lines a new section to read:

"Sec. 3. Section 10 of Chapter 941 of the 1989 Session Laws is repealed.";

and on page 2, line 31, by deleting the number "3" and substituting the number "4".

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 28th day of June, 1991.

*Conferees for the
Senate*

S/ T. LaFontine Odom
S/ Mary P. Seymour
S/ R. C. Soles, Jr.

*Conferees for the
House of Representatives*

S/ John C. Hasty
S/ R. D. Beard

The Conference Report is adopted, by electronic vote (92-0), and the Senate is so notified by Special Message.

CALENDAR (continued)

Senate Committee Substitute for H.B. 204, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SOCIAL SERVICES

COMMISSION TO ADOPT RULES PERTAINING TO THE EDUCATION REQUIREMENTS FOR DOMICILIARY HOMES.

On motion of Representative Colton, the House concurs in the Senate committee substitute, by electronic vote (88-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 873**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE FOR COMPLETING THE CLASSIFICATION OF WATER SUPPLY WATERSHEDS AND FOR THE SUBMISSION OF LOCAL WATER SUPPLY WATERSHED PROTECTION ORDINANCES AND TO REQUIRE THAT STATE AGENCIES COMPLY WITH WATER SUPPLY WATERSHED PROTECTION RULES AND ORDINANCES.

On motion of Representative Fletcher, the House concurs in the Senate committee substitute, by electronic vote (90-0), and the bill is ordered enrolled.

H.B. 851, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TO THE EXTENT A COUNTY PROVIDES LIABILITY INSURANCE TO COUNTY OFFICERS OR EMPLOYEES IT SHALL PROVIDE LIABILITY INSURANCE TO THE REGISTER OF DEEDS.

On motion of Representative Redwine, the House concurs in the Senate amendment, by electronic vote (95-0), and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for **H.B. 942**, A BILL TO BE ENTITLED AN ACT TO PROVIDE PRIORITY CONSIDERATION TO STATE EMPLOYEES WHO RECEIVE REDUCTION IN FORCE NOTIFICATION.

On motion of Representative Hensley, the House concurs in the Senate committee substitute, by electronic vote (92-1), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 826**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE REQUIRED MINIMUM FINANCIAL RESPONSIBILITY FOR PROPERTY DAMAGE AND TO INCREASE OTHER AMOUNTS IN THE MOTOR VEHICLES LAWS THAT ARE DEPENDENT UPON THE AMOUNT OF REQUIRED MINIMUM FINANCIAL RESPONSIBILITY FOR PROPERTY DAMAGE.

On motion of Representative Hasty, the House concurs in the Senate committee substitute, by electronic vote (92-0), and the bill is ordered enrolled.

S.B. 564, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF HIGHLANDS.

On motion of Representative Kimsey, consideration of the bill is postponed until July 1.

Committee Substitute for **H.B. 703**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WAKE COUNTY TO LEVY A ROOM OCCUPANCY TAX AND A PREPARED FOOD AND BEVERAGE TAX, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Albertson, Barnes, Barnhill, Beall, Beard, Bowman, Buchanan, Church, Colton, N. J. Crawford, Cunningham, Dawkins, DeVane, Dial, Dickson, Etheridge, Fletcher, Foster, Fussell, Gamble, Gottovi, Greenwood, Hensley, Hightower, Holt, Jack Hunt, H. Hunter, Hurley, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Kimsey, Lineberry, Luebke, Lutz, McAllister, McGee, McLawhorn, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Ramsey, Robinson, Rogers, Smith, Stamey, Stewart, Thompson, Wainwright, Warner, Wicker, Wilmoth, Withrow, Wood, and Woodard - 64.

Voting in the negative: Representatives Balmer, Barbee, Brawley, Brown, Creech, Culp, Decker, Dockham, Esposito, Gardner, Gist, Gray, Hasty, Hege, Holmes, Howard, Huffman, Isenhower, Justus, Lewis, Ligon, Loflin, Mavretic, Pope, Privette, Rhyne, Russell, and Wilson - 28.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Chapin, Easterling, Grady, Green, Hardaway, Sam Hunt, and Rhodes - 10.

Committee Substitute for **H.B. 1163**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CONSTRUCTION AND THE FINANCING OF A CERTAIN CAPITAL IMPROVEMENT PROJECT AT APPALACHIAN STATE UNIVERSITY, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowman, Brawley, Brown, Buchanan, Church, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, Dial, Diamont, Dickson, Dockham, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Gray, Greenwood, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 95.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Chapin, Easterling, Grady, Green, Hardaway, Sam Hunt, and Rhodes - 10.

S.B. 104, A BILL TO BE ENTITLED AN ACT TO ELIMINATE A TAXPAYER'S DEDUCTION FOR CERTAIN CONTRIBUTIONS OF LAND OR CROPS TO ACCOUNT FOR TAX CREDITS ALLOWED FOR THE SAME CONTRIBUTIONS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnhill, Beall, Beard, Bowie, Bowman, Brawley, Brown, Buchanan, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, Dial, Dickson, Dockham, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gardner, Gist, Gottovi, Gray, Greenwood, Hackney, Hege, Hensley, Hightower, Holt, Howard, Huffman, Jack Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Robinson, Rogers, Russell, Stamey, Stewart, Thompson, Wainwright, Warner, Wicker, Wilson, Withrow, Wood, and Woodard - 87.

Voting in the negative: Representatives Rhyne and Smith - 2.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Chapin, Easterling, Grady, Green, Hardaway, Sam Hunt, and Rhodes - 10.

S.B. 114, A BILL TO BE ENTITLED AN ACT TO REPEAL INHERITANCE TAX EXEMPTIONS FOR CERTAIN TYPES OF PROPERTY, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barnes, Barnhill, Beall, Beard, Bowman, Buchanan, Church, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Dial, Dickson, Dockham, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Gray, Greenwood, Hackney, Hege, Hensley, Hightower, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, R. Hunter, Hurley, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Ramsey, Robinson, Stamey, Stewart, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 81.

Voting in the negative: Representatives Barbee, Bowie, Brawley, Brown, Creech, Decker, Isenhower, Justus, Ligon, McGee, Privette, Rhyne, and Russell - 13.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Chapin, Easterling, Grady, Green, Hardaway, Sam Hunt, and Rhodes - 10.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

June 28, 1991

Mr. Speaker:

Pursuant to the message from the Senate of June 27 informing the House of Representatives the Senate failed to concur in House Committee Substitute for S.B. 16, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS, it is ordered that a message be sent your Honorable Body with the information that the Senate requests conferees. The President Pro Tempore appoints: Senator Winner, Chairman; Senators Johnson, Walker, Perdue, Ballance, and Cochrane on the part of the Senate to confer with a like committee appointed by the House to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

CALENDAR (continued)

S.B. 198, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PROCESSING FEE FOR BAD CHECKS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowie, Bowman, Brawley, Brown, Buchanan, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Gray, Greenwood, Hackney, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, R. Hunter, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Rhyne, Robinson, Russell, Smith, Stamey, Stewart, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 95.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Chapin, Easterling, Grady, Green, Hardaway, Sam Hunt, and Rhodes - 10.

Committee Substitute for **S.B. 316, A BILL TO BE ENTITLED AN ACT TO INCREASE FEES CHARGED BY THE BOARD OF PODIATRY EXAMINERS, TO PROVIDE FOR TEMPORARY PODIATRY LICENSES, AND TO REVISE PROVISIONS FOR APPLICANTS LICENSED IN OTHER STATES**, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowie, Bowman, Brawley, Buchanan, Church, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Dial, Diamont, Dickson, Dockham, Esposito, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gray, Greenwood, Hackney, Hege, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLawhorn, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Ramsey, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wainwright, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 83.

Voting in the negative: Representatives Brown, Creech, Decker, and Privette - 4.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Chapin, Easterling, Grady, Green, Hardaway, Sam Hunt, and Rhodes - 10.

S.B. 205, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION FOR THE UTILITY REGULATORY FEE STATUTE, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Barbee, Barnhill, Beall, Beard, Bowie, Bowman, Brawley, Buchanan, Church, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Esposito, Ethridge, Flaherty, Foster, Fussell, Gamble, Gardner, Greenwood, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Pope, Ramsey, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Thompson, Wainwright, Wilmoth, Wilson, Withrow, Wood, and Woodard - 81.

Voting in the negative: Representatives Balmer, Brown, Creech, Decker, and Privette - 5.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Chapin, Easterling, Grady, Green, Hardaway, Sam Hunt, and Rhodes - 10.

Committee Substitute for H.B. 556, A BILL TO BE ENTITLED AN ACT TO INCREASE VARIOUS FEES IMPOSED BY THE HEARING AID DEALERS AND FITTERS BOARD AND TO AUTHORIZE THE BOARD TO IMPOSE ADDITIONAL FEES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnhill, Beall, Beard, Bowie, Bowman, Brawley, Brown, Buchanan, Church, Colton, J. W. Crawford, N. J. Crawford,

Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Esposito, Ethridge, Foster, Gamble, Gardner, Gist, Greenwood, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, H. Hunter, Isenhower, Jeralds, Jones, Jordan, Justus, Kennedy, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Privette, Ramsey, Robinson, Rogers, Russell, Smith, Stewart, Thompson, Wainwright, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 77.

Voting in the negative: Representatives Creech, Decker, Kimsey, Lewis, and Rhyne - 5.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Chapin, Easterling, Grady, Green, Hardaway, Sam Hunt, and Rhodes - 10.

Committee Substitute for H.B. 1160, A BILL TO BE ENTITLED AN ACT TO REPEAL THE NONRESIDENT BEAR HUNTING LICENSE REQUIREMENT IN ORDER TO PROMOTE RECIPROCITY WITH THE STATE OF TENNESSEE AND TO LIMIT THE USE OF FISH TRAPS TO TAKE NONGAME FISH IN INLAND FISHING WATERS IN CERTAIN COUNTIES.

Representative Buchanan offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowie, Bowman, Brawley, Brown, Buchanan, Church, Colton, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Diamont, Dockham, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Gray, Greenwood, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Huffman, Judy Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Miller, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 95.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Chapin, Easterling, Grady, Green, Hardaway, Sam Hunt, and Rhodes - 10.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Committee Substitute for S.B. 2, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A BINDING REFERENDUM ON THE

ESTABLISHMENT OF A NORTH CAROLINA STATE LOTTERY, is read the first time and referred to the Committee on Finance.

CALENDAR (continued)

Committee Substitute for S.B. 359, A BILL TO BE ENTITLED AN ACT TO TRANSFER AUTHORITY TO SET FEES FOR SCREENING TESTS FOR ASBESTOSIS OR SILICOSIS TO THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnhill, Beard, Bowie, Bowman, Brawley, Brown, Buchanan, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Gray, Greenwood, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Wood, and Woodard - 100.

Voting in the negative: None.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Chapin, Easterling, Grady, Green, Hardaway, Sam Hunt, and Rhodes - 10.

PERMANENT SUBCOMMITTEES REPORTS

The following reports from permanent subcommittees are presented:

By Representative Beard for the Permanent Subcommittee on Insurance of the Standing Committee on Commerce, with approval of standing committee chairman for report to be made directly to the floor of the House:

S.B. 652, A BILL TO BE ENTITLED AN ACT TO AMEND THE "CLEAN RISK" DEFINITION IN THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY, with a favorable report.

By Representative Fletcher for the Permanent Subcommittee on Financial Institutions of the Standing Committee on Commerce, with approval of standing committee chairman for report to be made directly to the floor of the House:

Committee Substitute for S.B. 42, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE BANKING LAWS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for July 2. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute No. 2 for **S.B. 69**, A BILL TO BE ENTITLED AN ACT TO REGULATE THE TRANSMISSION OF MONEY AND THE SALE OF CHECKS, with a favorable report and recommendation that the Senate Committee Substitute Bill No. 2 be re-referred to the Committee on Finance.

Committee Substitute No. 2 for **S.B. 70**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE FOREIGN BANKING OFFICES IN NORTH CAROLINA, with a favorable report as to House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2 and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representatives Hackney and Miller for the Committee on Finance:

Committee Substitute for **H.B. 1273**, A BILL TO BE ENTITLED AN ACT TO ALLOW EMPLOYEES OF THE GENERAL ASSEMBLY TO RECEIVE RETIREMENT CREDIT FOR FULL-TIME TEMPORARY SERVICE WITH OTHER STATE AGENCIES, with a favorable report.

Committee Substitute for **S.B. 397**, A BILL TO BE ENTITLED AN ACT TO INCREASE AND MAKE UNIFORM THE FEES FOR COPYING A FILED DOCUMENT, COMPARING A COPY TO THE ORIGINAL FILED DOCUMENT, AND CERTIFYING A DOCUMENT UNDER THE BUSINESS CORPORATION ACT, THE NON-PROFIT CORPORATION ACT, AND THE REVISED UNIFORM LIMITED PARTNERSHIP ACT, with a favorable report, as amended.

Committee Substitute for **S.B. 539**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF REVENUE TO ESTABLISH THE TIME PERIOD FOR STAMPING CIGARETTES, with a favorable report.

S.B. 669, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A PORK PROMOTION ASSESSMENT, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for July 2. The original bill is placed on the Unfavorable Calendar.

S.B. 809, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FISHERIES LICENSES BE ISSUED ON A FISCAL YEAR

BASIS, INCREASE THE FEE FOR A LICENSE, AND PROVIDE THAT LICENSE AGENTS BE BONDED, with a favorable report.

RE-REFERRAL

On motion of Representative Miller, H.B. 1257, A BILL TO BE ENTITLED AN ACT TO REQUIRE A GENERAL REAPPRAISAL OF REAL PROPERTY WHEN THE LEVEL OF ASSESSMENT IN THE COUNTY IS SIGNIFICANTLY BELOW FAIR MARKET VALUE, is withdrawn from the Permanent Subcommittee on Ways and Means and re-referred to the Permanent Subcommittee on Local and Regional Government Revenue of the Standing Committee on Finance.

CALENDAR (continued)

On motion of Representative Nesbitt, the rules are suspended and S.B. 961, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1991, is withdrawn from the Committee on Appropriations and placed on the Calendar for immediate consideration.

Representative Nesbitt offers Amendment No. 1 which is adopted.

Representative Brown offers Amendment No. 2.

On motion of Representative Nesbitt, seconded by Representative Diamont, Amendment No. 2 is tabled by electronic vote (68-30).

The bill, as amended, passes its second reading, by electronic vote (99-3), and there being no objection is read a third time.

Representative Nesbitt offers Amendment No. 3 which is adopted by electronic vote (99-0).

The bill, as amended, passes its third reading, by electronic vote (97-3), and is ordered sent to the Senate for concurrence in House amendments by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

June 28, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on House Committee Substitute for S.B. 227, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM BENEFITS WHICH THE INSURANCE COMMISSIONER MAY AUTHORIZE TO BE PAID BY CERTAIN FRATERNAL BENEFIT SOCIETIES AND TO EXTEND THE PERIOD OF TIME FOR QUALIFYING FOR THE MEDICARE SUPPLEMENT AND LONG-TERM CARE INSURANCE SUPPLEMENTAL LICENSE, to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

On motion of the Chair, the House recesses at 12:15 p.m.

RECESS

The House meets at 2:10 p.m. pursuant to recess and is called to order by the Speaker.

SUSPENSION OF RULES TO INTRODUCE RESOLUTION

On motion of Representative Beard, the rules are suspended and the following is introduced and read the first time.

By Representatives Beard and Hasty:

H.J.R. 1306, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EDWARD SIDNEY LANIER, FORMER STATE INSURANCE COMMISSIONER AND STATE SENATOR, AND FAVORING CONTINUANCE OF THE LIMITED ANTITRUST EXEMPTION FOR THE BUSINESS OF INSURANCE AS PRESENTLY PROVIDED IN THE MACCARRAN-FERGUSON ACT OF 1945, is referred to the Committee on Rules, Appointments and Calendar.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 205, AN ACT TO REPEAL THE SUNSET PROVISION FOR THE UTILITY REGULATORY FEE STATUTE. (CHAPTER 451)

S.B. 961, AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1991. (CHAPTER 452)

SUSPENSION OF RULES TO PLACE ON CALENDAR

On motion of Representative Miller, the rules are suspended and **H.B. 452**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON ANNUAL FEES CHARGED BY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO SUPPORT PUBLIC HEALTH PROGRAMS, AND TO EXEMPT NUTRITION PROGRAMS FOR THE ELDERLY FROM SUCH FEES, is withdrawn from the committee on Finance and placed on today's Calendar.

CALENDAR (continued)

H.B. 487, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ALLOWING TAX CREDITS FOR QUALIFIED BUSINESS INVESTMENTS.

On motion of Representative Anderson, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

H.B. 452, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON ANNUAL FEES CHARGED BY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO SUPPORT PUBLIC HEALTH PROGRAMS, AND TO EXEMPT NUTRITION PROGRAMS FOR THE ELDERLY FROM SUCH FEES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Anderson, Barnes, Barnhill, Beall, Beard, Bowman, Buchanan, Colton, N. J. Crawford, Dawkins, DeVane, Dial, Diamont, Dickson, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gist, Gottovi, Hackney, Hasty, Hensley, Holt, Judy Hunt, R. Hunter, Hurley, James, Jarrell, Jeralds, Jordan, Justus, Lineberry, Luebke, McAllister, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Oldham, Rogers, Russell, Stamey, Stewart, Thompson, Wainwright, Wilmoth, and Withrow - 53.

Voting in the negative: Representatives Albertson, Balmer, Barbee, Bowie, Brawley, Brown, Church, J. W. Crawford, Creech, Culp, Decker, Dockham, Esposito, Gardner, Gray, Hege, Holmes, Huffman, Isenhower, Kimsey, Lewis, Ligon, Lilley, McGee, Nye, Pope, Privette, Redwine, Rhyne, Smith, Wood, and Woodard - 32.

Excused absences: Representatives Abernethy, Bowen, Brubaker, Chapin, Easterling, Grady, Green, Greenwood, Hardaway, Sam Hunt, Jones, Kennedy, and Rhodes - 13.

House Committee Substitute for **S.B. 465, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE COMMUNITY PENALTIES PROGRAM FROM THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO THE ADMINISTRATIVE OFFICE OF THE COURTS.**

On motion of Representative Barnes, the bill is placed on the Calendar for July 1 as a Special Order of Business.

SUSPENSION OF RULE 28(e)

On motion of the Chair, Rule 28(e) is suspended in order that the conferees on **H.B. 83** may meet on Saturday and Sunday, if needed.

On motion of Representative Jack Hunt, seconded by Representative Smith, the House adjourns at 2:35 p.m. to reconvene Monday, July 1, 1991 at 6:30 p.m.

NINETY-FIFTH DAY**HOUSE OF REPRESENTATIVES**

Monday, July 1, 1991

The House meets at 6:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of June 28 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (86-0).

Leaves of absence are granted Representatives Bowen, Gardner, Sam Hunt, Kennedy, Smith, and Wilson for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Flaherty, Kerr, Loflin, and Pope:

H.J.R. 1305, A JOINT RESOLUTION HONORING THE MEMORY OF THE EARLY SCOTTISH SETTLERS OF NORTH CAROLINA WHO HAVE MADE SIGNIFICANT CONTRIBUTIONS TO THE GROWTH OF THIS STATE AND COUNTRY ON THE OCCASION OF THE 1991 GRANDFATHER MOUNTAIN HIGHLAND GAMES, is referred to the Committee on Rules, Appointments and Calendar.

By Representatives Gist, Holt, Jarrell, Jeffus, and Lineberry:

H.J.R. 1307, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ANGELINE DAVIS SMITH, is referred to the Committee on Rules, Appointments and Calendar.

SPECIAL MESSAGE FROM THE SENATE**SENATE CHAMBER**

June 28, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in House Amendment No. 1 to Committee Substitute for S.B. 39, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NO SAFE DRIVER INCENTIVE PLAN POINTS SHALL BE ASSESSED FOR THE FIRST ACCIDENT WITHIN THREE YEARS IF THERE IS PROPERTY DAMAGE ONLY AND NO MOVING VIOLATION INVOLVED, and requests conferees. The President Pro Tempore appoints: Senators Odom, Kincaid, and Goldston on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker announces the appointment of Representatives Nesbitt, Hardaway, and Isenhower as conferees and the Senate is so notified by Special Message.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

S.B. 289, A BILL TO BE ENTITLED AN ACT TO REMOVE THE AGE LIMIT FOR RESTORATION TO MEMBERSHIP FOR A DISABILITY BENEFICIARY IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND TEACHERS' AND STATE EMPLOYEES RETIREMENT SYSTEM, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 290, A BILL TO BE ENTITLED AN ACT TO REDEFINE "EMPLOYEE" AND "EMPLOYER" IN THE LOCAL GOVERNMENTAL EMPLOYEE'S RETIREMENT SYSTEM, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 292, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE DISABILITY INCOME PLAN OF NORTH CAROLINA, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 346, A BILL TO BE ENTITLED AN ACT TO RESTORE THE PROVISION FOR PURCHASE OF OUT-OF-STATE SERVICE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 543, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT OF SICK LEAVE CREDITABLE TOWARD RETIREMENT FOR LOCAL GOVERNMENT EMPLOYEES, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for H.B. 180, A BILL TO BE ENTITLED AN ACT TO INCREASE TO ONE THOUSAND DOLLARS OR MORE THE AMOUNT FOR WHICH THE FOLLOWING OFFENSES ARE DESIGNATED FELONIES RATHER THAN MISDEMEANORS AND TO MAKE CONFORMING CHANGES: WORTHLESS CHECKS, LARCENY OF PROPERTY, RECEIPT OF STOLEN GOODS, FRAUDULENT ATTEMPT TO OBTAIN FOOD STAMPS, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 2.

H.B. 281, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ACQUIRE PROPERTY FOR NEW RAILROAD CORRIDORS AND TO ENTER INSTALLMENT CONTRACTS FOR THE PURCHASE OF RAILROAD CORRIDORS AND OTHER RAIL PROPERTY, is returned for concurrence in Senate amendment and placed on the Calendar for July 2.

Senate Committee Substitute for **H.B. 283**, A BILL TO BE ENTITLED AN ACT TO MAKE IT A MISDEMEANOR TO ASSAULT AN ENVIRONMENTAL HEALTH OFFICIAL AND A FELONY TO ASSAULT AN ENVIRONMENTAL HEALTH OFFICIAL WITH A DEADLY WEAPON, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 2.

Senate Committee Substitute No. 2 for **H.B. 330**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF MOTOR VEHICLE DEALER, is returned for concurrence in Senate Committee Substitute No. 2 and placed on the Calendar for July 2.

Senate Committee Substitute for **H.B. 400**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE BOARD OF MORTUARY SCIENCE PROCEDURES, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 2.

Senate Committee Substitute for **H.B. 493**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STATE ASSISTANCE AND INTERVENTION IN LOW PERFORMING SCHOOL UNITS, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 2.

Senate Committee Substitute for **H.B. 828**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REQUIRING TEACHER AND ADMINISTRATOR INVOLVEMENT IN THE DEVELOPMENT OF LOCAL SCHOOL IMPROVEMENT PLANS, is returned for concurrence in Senate committee substitute, which changes the title, and referred to the Committee on Education.

Senate Committee Substitute for **H.B. 838**, A BILL TO BE ENTITLED AN ACT TO MAKE THE DESTRUCTION OF ANY LAWFULLY GROWN CROP, PASTURE, OR PROVENDER A CRIMINAL OFFENSE, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 2.

H.B. 895, A BILL TO BE ENTITLED AN ACT TO ESTABLISH RETAIL PRICE TO BE PAID FOR WARRANTY WORK PERFORMED BY MOTOR VEHICLE DEALERS, is returned for concurrence in Senate amendment and placed on the Calendar for July 2.

Committee Substitute for **H.B. 989**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SEPARATE ABC PERMIT FOR HOTELS CHOOSING TO OFFER ALCOHOLIC BEVERAGE SALES FROM LOCKED CABINETS IN GUEST ROOMS, is returned for concurrence in three Senate amendments.

The Speaker rules Senate Amendment No. 4 to be material and the bill is placed on the Calendar for July 2 for its second roll call reading for concurrence.

Senate Committee Substitute for **H.B. 1109**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE MANAGEMENT OF NON-HAZARDOUS SOLID WASTE, TO REDEFINE THE STATE SOLID WASTE MANAGEMENT GOALS, AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO THE SOLID WASTE MANAGEMENT LAWS, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 2.

Senate Committee Substitute for **H.B. 1111**, A BILL TO BE ENTITLED AN ACT TO REQUIRE PERSONS WHO ACCEPT USED GOODS ON CONSIGNMENT TO KEEP RECORDS OF THE CON-SIGNED GOODS, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 2.

Committee Substitute No. 2 for **S.B. 51**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FUNERAL AND BURIAL TRUST FUND ACT, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute No. 2 for **S.B. 472**, A BILL TO BE ENTITLED AN ACT TO REVISE THE DRIVERS LICENSE LAW TO HARMONIZE THE COMMERCIAL DRIVERS LICENSE PROVISIONS WITH THE REGULAR DRIVERS LICENSE PROVISIONS, TO CLARIFY THE EFFECT OF A DISQUALIFICATION TO DRIVE A COMMERCIAL MOTOR VEHICLE, AND TO IMPOSE A FEE FOR A MOTORCYCLE ENDORSEMENT, A COMMERCIAL LEARNER'S PERMIT, AND THE RESTORATION OF A LICENSE AFTER DISQUALIFICATION, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 640**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COLLEGIATE INSIGNIA REGISTRATION PLATES, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 104, AN ACT TO ELIMINATE A TAXPAYER'S DEDUCTION FOR CERTAIN CONTRIBUTIONS OF LAND OR CROPS TO ACCOUNT FOR TAX CREDITS ALLOWED FOR THE SAME CONTRIBUTIONS. (CHAPTER 453)

S.B. 114, AN ACT TO REPEAL INHERITANCE TAX EXEMPTIONS FOR CERTAIN TYPES OF PROPERTY. (CHAPTER 454)

S.B. 198, AN ACT TO INCREASE THE PROCESSING FEE FOR BAD CHECKS. (CHAPTER 455)

S.B. 245, AN ACT TO ENHANCE THE ENFORCEMENT PROVISIONS OF THE NORTH CAROLINA SECURITIES ACT AND THE INVESTMENT ADVISERS ACT. (CHAPTER 456)

S.B. 316, AN ACT TO INCREASE FEES CHARGED BY THE BOARD OF PODIATRY EXAMINERS, TO PROVIDE FOR TEMPORARY PODIATRY LICENSES, AND TO REVISE PROVISIONS FOR APPLICANTS LICENSED IN OTHER STATES. (CHAPTER 457)

S.B. 320, AN ACT TO MAKE TECHNICAL CHANGES TO THE EMPLOYMENT SECURITY LAW. (CHAPTER 458)

S.B. 343, AN ACT AMENDING THE ALCOHOLIC BEVERAGE CONTROL LAWS. (CHAPTER 459)

S.B. 396, AN ACT GOVERNING THE VOTING OF SHARES OF CORPORATE STOCK OR OTHER SECURITIES BY JOINT PERSONAL REPRESENTATIVES AND COTRUSTEES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (CHAPTER 460)

S.B. 400, AN ACT TO PROVIDE THAT THE DEPARTMENT OF CULTURAL RESOURCES SHALL ISSUE ARCHAEOLOGICAL PERMITS. (CHAPTER 461)

H.B. 204, AN ACT TO REQUIRE THE SOCIAL SERVICES COMMISSION TO ADOPT RULES PERTAINING TO THE EDUCATION REQUIREMENTS FOR DOMICILIARY HOMES. (CHAPTER 462)

H.B. 220, AN ACT TO INCREASE MEDICAL EXAMINER'S FEES TO MEET INCREASED COSTS AND TO ASSESS THE FEES AGAINST THE COUNTY WHERE THE DEATH OR FATAL INJURY OCCURRED IF THE DECEASED IS A RESIDENT OF THAT COUNTY. (CHAPTER 463)

H.B. 278, AN ACT TO AMEND THE CHARTER OF THE TOWN OF LONG BEACH TO ALLOW THE TOWN TO ASSESS BENEFITED PROPERTY FOR UNDERGROUNDING OF UTILITIES, AND FOR CONSTRUCTION OF PUBLIC STREETS BY NECESSITY. (CHAPTER 464)

H.B. 485, AN ACT TO AUTHORIZE A NORTH CAROLINA INTERPRETER CLASSIFICATION SYSTEM APPLICATION AND ASSESSMENT FEE. (CHAPTER 465)

H.B. 577, AN ACT TO EXTEND THE CORPORATE LIMITS OF THE VILLAGE OF PINEHURST. (CHAPTER 466)

H.B. 595, AN ACT TO ADD AN INDIAN MEMBER FROM THE MEHERRIN TRIBE TO THE COMMISSION ON INDIAN AFFAIRS AND TO MAKE CERTAIN TECHNICAL CHANGES. (CHAPTER 467)

H.B. 800, AN ACT TO REVISE THE CORPORATE LIMITS OF THE TOWN OF NORWOOD. (CHAPTER 468)

H.B. 826, AN ACT TO INCREASE THE REQUIRED MINIMUM FINANCIAL RESPONSIBILITY FOR PROPERTY DAMAGE AND TO INCREASE OTHER AMOUNTS IN THE MOTOR VEHICLES LAWS THAT ARE DEPENDENT UPON THE AMOUNT OF REQUIRED MINIMUM FINANCIAL RESPONSIBILITY FOR PROPERTY DAMAGE. (CHAPTER 469)

H.B. 851, AN ACT TO PROVIDE THAT TO THE EXTENT A COUNTY PROVIDES LIABILITY INSURANCE TO COUNTY OFFICERS OR EMPLOYEES IT SHALL PROVIDE LIABILITY INSURANCE TO THE REGISTER OF DEEDS. (CHAPTER 470)

H.B. 873, AN ACT TO EXTEND THE DEADLINE FOR COMPLETING THE CLASSIFICATION OF WATER SUPPLY WATERSHEDS AND FOR THE SUBMISSION OF LOCAL WATER SUPPLY WATERSHED PROTECTION ORDINANCES AND TO REQUIRE THAT STATE AGENCIES COMPLY WITH WATER SUPPLY WATERSHED PROTECTION RULES AND ORDINANCES. (CHAPTER 471)

H.B. 874, AN ACT TO MODERNIZE THE LAW REGARDING THE TAKING UP OF STRAY LIVESTOCK AND TO CONFORM THAT LAW WITH THE LAW REGARDING THE TAKING UP OF LIVESTOCK RUNNING AT LARGE. (CHAPTER 472)

H.B. 908, AN ACT TO ESTABLISH REGULATORY FEES FOR ELECTRIC MEMBERSHIP CORPORATIONS AND TELEPHONE MEMBERSHIP CORPORATIONS TO DEFRAY THE COST TO THE NORTH CAROLINA RURAL ELECTRIFICATION AUTHORITY OF REGULATING MEMBERSHIP CORPORATIONS IN THE INTEREST OF THE PUBLIC. (CHAPTER 473)

H.B. 942, AN ACT TO PROVIDE PRIORITY CONSIDERATION TO STATE EMPLOYEES WHO RECEIVE REDUCTION IN FORCE NOTIFICATION. (CHAPTER 474)

H.B. 1121, AN ACT TO AUTHORIZE THE DEPARTMENT OF LABOR TO ASSESS ADDITIONAL FEES AGAINST AMUSEMENT DEVICE OWNERS UNDER CERTAIN CIRCUMSTANCES. (CHAPTER 475)

CALENDAR

SPECIAL ORDER OF BUSINESS

Action is taken on the following:

House Committee Substitute for **S.B. 465**, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE COMMUNITY PENALTIES PROGRAM FROM THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO THE ADMINISTRATIVE OFFICE OF THE COURTS.

Representative Barnes offers Amendment No. 1 which is adopted.

Representative Barnes calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading by electronic vote (80-26).

Representative Rhyne objects to the third reading. The bill remains on the Calendar.

Senate Committee Substitute for **H.B. 760**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN MUNICIPALITIES

TO SEND ONE ITEMIZED BILL FOR SOLID WASTE, WATER, AND SEWAGE SERVICES, AND TO PROVIDE FOR TERMINATION OF SERVICES FOR NONPAYMENT.

On motion of Representative Stewart, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

H.B. 624, A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITIES OF BURKE COUNTY AND THE MUNICIPALITIES THEREIN TO UNDERTAKE LOCAL DEVELOPMENT ACTIVITIES.

On motion of Representative Fletcher, the House concurs in Senate Amendment No. 1, which changes the title.

On motion of Representative Fletcher, the House concurs in Senate Amendment No. 2, which changes the title, and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for **H.B. 674, A BILL TO BE ENTITLED AN ACT TO MERGE THE TOWNS OF JONESVILLE AND ARLINGTON IN YADKIN COUNTY, SUBJECT TO A REFERENDUM.**

On motion of Representative Holmes, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 801, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATUTORY AUTHORITY OF STANLY COUNTY TO REGULATE THE SUBDIVISION OF LAND.**

On motion of Representative Barbee, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for **H.B. 23, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FUEL TAX STATUTES TO ENABLE NORTH CAROLINA TO ENTER THE INTERNATIONAL FUEL TAX AGREEMENT.**

On motion of Representative Lilley, the House concurs in the Senate committee substitute, by electronic vote (93-0), and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute No. 2 for **H.B. 54, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE STATUTES RELATING TO CREDIT UNIONS AND TO INCREASE THE PENALTY FOR SUBMITTING LATE REPORTS TO THE ADMINISTRATOR OF CREDIT UNIONS.**

On motion of Representative Brubaker, the House does not concur in the Senate committee substitute, by electronic vote (96-2), and conferees are requested.

The Speaker announces the appointment of Representatives Brubaker, Fletcher, and Hardaway as conferees and the Senate is so notified by Special Message.

Senate Committee Substitute for **H.B. 64**, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE AND SIMPLIFY THE SPECIAL LICENSE PLATE LAWS.

On motion of Representative Huffman, the House does not concur in the Senate committee substitute, by electronic vote (89-4), and conferees are requested.

The Speaker announces the appointment of Representatives Huffman, Stamey, Colton, and Kerr as conferees and the Senate is so notified by Special Message.

Senate Committee Substitute for **H.B. 289**, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN CONVEYANCES WHERE SEALS WERE OMITTED OR NOTARY WAS NOT QUALIFIED, CERTAIN NOTICES TO CREDITORS OF DECEDENTS WHERE THE DEADLINE FOR SUBMITTING CLAIMS WAS OMITTED, AND CERTAIN FORECLOSURE SALES.

On motion of Representative Rhyne, the House concurs in the Senate committee substitute, by electronic vote (93-0), and the bill is ordered enrolled.

Committee Substitute No. 2 for **H.B. 347**, A BILL TO BE ENTITLED AN ACT TO REQUIRE MAMMOGRAM AND PAP SMEAR COVERAGE IN HEALTH AND ACCIDENT INSURANCE POLICIES, IN HOSPITAL OR MEDICAL SERVICES PLANS, AND IN HMO PLANS.

On motion of Representative Barnes, the House concurs in the Senate amendment, by electronic vote (99-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 418**, A BILL TO BE ENTITLED AN ACT TO RESOLVE INCONSISTENCIES BETWEEN G.S. 8-83 AND G.S. 1A-1, RULES 32 AND 40, REGARDING THE ADMISSION OF DEPOSITIONS AT TRIAL AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND USE OF DEPOSITIONS OF MEMBERS OF THE GENERAL ASSEMBLY AND CONGRESS.

On motion of Representative Kennedy, the House concurs in the Senate committee substitute, by electronic vote (86-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 455**, A BILL TO BE ENTITLED AN ACT TO CONFORM CERTAIN PROVISIONS OF THE WAGE AND HOUR ACT TO FEDERAL LAW.

On motion of Representative Michaux, the House concurs in the Senate amendment, by electronic vote (95-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 513**, A BILL TO BE ENTITLED AN ACT TO CREATE THE MISDEMEANOR OFFENSE OF ETHNIC INTIMIDATION AND TO ADD ETHNIC ANIMOSITY

AS AN AGGRAVATING FACTOR TO BE CONSIDERED IN FELONY SENTENCES.

On motion of Representative Flaherty, the House concurs in the Senate committee substitute, by electronic vote (93-0), and the bill is ordered enrolled.

Senate Committee Substitute for H.B. 516, A BILL TO BE ENTITLED AN ACT REQUIRING TRAFFIC SIGNS AND OTHER TRAFFIC CONTROL DEVICES ON ALL HIGHWAYS AND PUBLIC VEHICULAR AREAS TO CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.

On motion of Representative McLaughlin, consideration of the bill is postponed until July 2.

H.B. 604, A BILL TO BE ENTITLED AN ACT TO INCREASE THE SURETY BOND TO BE SUBMITTED BY AN APPLICANT FOR A LICENSE AS A MOTOR VEHICLE DEALER, MANUFACTURER, DISTRIBUTION BRANCH, OR FACTORY BRANCH.

On motion of Representative Fletcher, the House concurs in the Senate amendment, by electronic vote (89-0), and the bill is ordered enrolled.

H.B. 837, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN LAWS PROHIBITING THE USE OF POLITICAL INFLUENCE CONCERNING STATE EMPLOYMENT.

On motion of Representative Jones, the House concurs in the Senate amendment, by electronic vote (94-0), and the bill is ordered enrolled.

Committee Substitute for H.B. 869, A BILL TO BE ENTITLED AN ACT TO INCREASE EXEMPT PROPERTY VALUES AND CLARIFY THE EFFECT OF EXEMPTIONS, TO AUTHORIZE CERTAIN LOAN AND APPRAISAL FEES, TO AMEND THE USURY LAWS APPLICABLE TO COMMERCIAL LOANS, TO AUTHORIZE THE IMPOSITION OF AN ANNUAL FEE OR MONTHLY SERVICE CHARGE ON CREDIT PLANS, AND TO AMEND THE LAW REGARDING ASSUMPTION FEES IN CONNECTION WITH CERTAIN REAL ESTATE LOANS.

On motion of Representative Brubaker, the House concurs in Senate Amendment No. 1 by electronic vote (93-0).

On motion of Representative Brubaker, the House concurs in Senate Amendment No. 2 by electronic vote (90-0).

On motion of Representative Brubaker, the House concurs in Senate Amendment No. 3, by electronic vote (95-0), and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for H.B. 925, A BILL TO BE ENTITLED AN ACT TO PROVIDE A GRACE PERIOD FOR PLUMBING AND HEATING CONTRACTORS ELIGIBLE TO OBTAIN A LICENSE WITHOUT EXAMINATION.

On motion of Representative Buchanan, the House concurs in the Senate committee substitute, by electronic vote (91-0), and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for **H.B. 667**, A BILL TO BE ENTITLED AN ACT TO REQUIRE AN APPLICANT FOR A PERMIT FOR DISPOSAL OF WASTE BY LAND APPLICATION TO NOTIFY EACH CITY AND COUNTY GOVERNMENT WITH JURISDICTION OVER THE LAND INVOLVED.

On motion of Representative Jack Hunt, the House concurs in the Senate committee substitute, by electronic vote (91-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 953**, A BILL TO BE ENTITLED AN ACT TO EXEMPT AREA MENTAL HEALTH AUTHORITIES FROM CERTAIN PROVISIONS OF THE STATE PERSONNEL ACT.

On motion of Representative Rhyne, consideration of the bill is postponed until July 3.

Senate Committee Substitute for House Committee Substitute for **H.B. 987**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A PERSON MUST BE CONVICTED OF A DRIVING OFFENSE THAT OCCURRED DURING THE PERIOD OF SUSPENSION BEFORE A SUSPENSION MAY BE LENGTHENED BASED ON THAT CONVICTION.

On motion of Representative Flaherty, the House concurs in the Senate committee substitute, by electronic vote (97-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 1002**, A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PROVISIONS CONTAINED IN THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW.

On motion of Representative Brawley, the House concurs in the Senate committee substitute, by electronic vote (99-0), and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for **H.B. 1017**, A BILL TO BE ENTITLED AN ACT TO PROVIDE SUBPOENA POWER TO ALL MUNICIPALITIES, TO PROVIDE FOR THE APPEAL FROM A STOP ORDER ISSUED FOR VIOLATION OF A ZONING ORDINANCE, AND TO AMEND THE STATUTE RELATING TO VOTING REQUIREMENTS FOR ZONING DECISIONS.

On motion of Representative Kerr, the House concurs in the Senate committee substitute, by electronic vote (99-0), and the bill is ordered enrolled.

H.B. 1060, A BILL TO BE ENTITLED AN ACT TO INCREASE THE LENGTH OF TIME FOR WHICH THE EFFECTIVE DATE OF A CERTIFICATE OF APPROPRIATENESS MAY BE DELAYED.

On motion of Representative Colton, the House concurs in the Senate amendment, by electronic vote (93-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 1073, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES IN BALLOT INSTRUCTIONS AND BALLOT FORMAT.**

On motion of Representative Gamble, the House does not concur in the Senate amendment, by electronic vote (96-0), and conferees are requested.

The Speaker announces the appointment of Representatives Gamble, Beall, and Rhyne as conferees and the Senate is so notified by Special Message.

Senate Committee Substitute for House Committee Substitute for **H.B. 1107, A BILL TO BE ENTITLED AN ACT TO ALLOW PETS IN HOTEL ROOMS AT THE INNKEEPER'S PREROGATIVE.**

On motion of Representative Payne, consideration of the bill is postponed until July 2.

Senate Committee Substitute for **H.B. 1108, A BILL TO BE ENTITLED AN ACT TO ENACT THE PUBLIC BATHROOM EQUITY ACT.**

On motion of Representative Luebke, the House concurs in the Senate committee substitute, by electronic vote (81-3), and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for **H.B. 1131, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DEMOLITION ASPHALT MAY BE USED AS FILL.**

On motion of Representative Balmer, consideration of the bill is postponed until July 2.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 227, AN ACT TO INCREASE THE MAXIMUM BENEFITS WHICH THE INSURANCE COMMISSIONER MAY AUTHORIZE TO BE PAID BY CERTAIN FRATERNAL BENEFIT SOCIETIES AND TO EXTEND THE PERIOD OF TIME FOR QUALIFYING FOR THE MEDICARE SUPPLEMENT AND LONG-TERM CARE INSURANCE SUPPLEMENTAL LICENSE. (CHAPTER 476)

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

H.J.R. 1302, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF SIPPION BURTON, JR., CIVIL RIGHTS LEADER, with a favorable report.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Thompson for the Permanent Subcommittee on Solid Waste of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

House Committee Substitute for **S.B. 531, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE EASTERN BAND OF CHEROKEE INDIANS SHALL BE ELIGIBLE TO: (1) BE A MEMBER OF A REGIONAL SOLID WASTE MANAGEMENT AUTHORITY, AND (2) APPLY FOR FINANCING A PROJECT WITH A LOAN FROM THE NORTH CAROLINA SOLID WASTE MANAGEMENT CAPITAL PROJECTS FINANCING AUTHORITY,** with a favorable report as to House committee substitute bill, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for July 3. The original bill is placed on the Unfavorable Calendar.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative R. Hunter for the Committee on Judiciary III:

Committee Substitute for **S.B. 151, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE NATURAL AND SCENIC RIVERS SYSTEM AND TO REQUIRE ZONING AND OTHER LAND-USE CONTROLS TO PROTECT DESIGNATED RIVERS,** with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for July 3. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representative Hardaway, Chairman for the Standing Committee on Commerce, refers:

S.B. 779, A BILL TO BE ENTITLED AN ACT TO REGULATE RENTAL HOUSING LISTING SERVICES, to the Permanent Subcommittee on Housing.

CALENDAR (continued)

Senate Committee Substitute for House Committee Substitute for **H.B. 1236, A BILL TO BE ENTITLED AN ACT TO CONFORM THE CRITERIA FOR DESIGNATION AS A DISTRESSED**

COUNTY FOR INCOME TAX PURPOSES TO THE CRITERIA USED BY THE INDUSTRIAL DEVELOPMENT FUND, TO INCREASE THE NUMBER OF SEVERELY DISTRESSED COUNTIES TO THIRTY-THREE, AND TO REPEAL THE SUNSET.

On motion of Representative Rogers, the House concurs in the Senate committee substitute, by electronic vote (93-0), and the bill is ordered enrolled.

S.B. 564, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF HIGHLANDS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowie, Brawley, Brown, Brubaker, Buchanan, Church, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Fussell, Gamble, Gist, Gottovi, Gray, Green, Greenwood, Hardaway, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Privette, Ramsey, Rhodes, Rhyne, Robinson, Rogers, Russell, Stamey, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Withrow, Wood, and Woodard - 92.

Voting in the negative: None.

Excused absences: Representatives Bowen, N. J. Crawford, Gardner, Sam Hunt, Smith, and Wilson - 6.

Committee Substitute for **H.B. 556, A BILL TO BE ENTITLED AN ACT TO INCREASE VARIOUS FEES IMPOSED BY THE HEARING AID DEALERS AND FITTERS BOARD AND TO AUTHORIZE THE BOARD TO IMPOSE ADDITIONAL FEES.**

Representative Hightower offers Amendment No. 1 which is adopted by electronic vote (98-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barnes, Barnhill, Beall, Beard, Black, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gamble, Gist, Gottovi, Grady, Gray, Green, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jerals, Jones, Jordan, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux,

Miller, Morgan, Nye, Oldham, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Withrow, Wood, and Woodard - 98.

Voting in the negative: Representative Justus.

Excused absences: Representatives Bowen, N. J. Crawford, Gardner, Sam Hunt, Smith, and Wilson - 6.

Committee Substitute for H.B. 1160, A BILL TO BE ENTITLED AN ACT TO REPEAL THE NONRESIDENT BEAR HUNTING LICENSE REQUIREMENT IN ORDER TO PROMOTE RECIPROCITY WITH THE STATE OF TENNESSEE AND TO LIMIT THE USE OF FISH TRAPS TO TAKE NONGAME FISH IN INLAND FISHING WATERS IN CERTAIN COUNTIES.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowie, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Fussell, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Huffman, Jack Hunt, Judy Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wood, and Woodard - 94.

Voting in the negative: None.

Excused absences: Representatives Bowen, N. J. Crawford, Gardner, Sam Hunt, Smith, and Wilson - 6.

Committee Substitute for S.B. 359, A BILL TO BE ENTITLED AN ACT TO TRANSFER AUTHORITY TO SET FEES FOR SCREENING TESTS FOR ASBESTOSIS OR SILICOSIS TO THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnhill, Beall, Beard, Black, Bowie, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gamble, Gist, Gottovi, Grady, Gray, Green, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones,

Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Withrow, Wood, and Woodard - 101.

Voting in the negative: None.

Excused absences: Representatives Bowen, N. J. Crawford, Gardner, Sam Hunt, Smith, and Wilson - 6.

H.B. 452, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON ANNUAL FEES CHARGED BY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO SUPPORT PUBLIC HEALTH PROGRAMS, AND TO EXEMPT NUTRITION PROGRAMS FOR THE ELDERLY FROM SUCH FEES.

Representative Redwine offers Amendment No. 1.

Representative Redwine withdraws Amendment No. 1.

On motion of Representative Redwine, consideration of the bill is postponed until July 2.

Committee Substitute for **H.B. 1273, A BILL TO BE ENTITLED AN ACT TO ALLOW EMPLOYEES OF THE GENERAL ASSEMBLY TO RECEIVE RETIREMENT CREDIT FOR FULL-TIME TEMPORARY SERVICE WITH OTHER STATE AGENCIES**, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowie, Bowman, Brown, Brubaker, Buchanan, Church, Colton, J. W. Crawford, Creech, Culp, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Ethridge, Fitch, Flaherty, Foster, Fussell, Gamble, Gist, Gottovi, Gray, Green, Greenwood, Grimmer, Hackney, Hege, Hensley, Hightower, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Morgan, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Robinson, Stamey, Stewart, Tallent, Thompson, Warner, Wilmoth, Withrow, Wood, and Woodard - 92.

Voting in the negative: Representatives Brawley, Decker, and Holmes - 3.

Excused absences: Representatives Bowen, N. J. Crawford, Gardner, Sam Hunt, Smith, and Wilson - 6.

House Committee Substitute for **S.B. 585, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO CHANGE THE MANNER IN WHICH CORNER LOT RELIEF FROM SPECIAL ASSESSMENTS FOR WATER AND**

SEWER PROJECTS IS CALCULATED; TO REPEAL THE MERCHANT'S DISCOUNT UNDER THE MOORESVILLE ROOM OCCUPANCY TAX; AND TO AUTHORIZE RUTHERFORD COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Fitch, Flaherty, Foster, Fussell, Gamble, Gist, Gottovi, Gray, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Jack Hunt, Judy Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jerald, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lewis, Lilley, Lineberry, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Stamey, Stewart, Tallent, Thompson, Warner, Wilmoth, Withrow, Wood, and Woodard - 97.

Voting in the negative: Representatives Ligon, Loflin, and Pope - 3.

Excused absences: Representatives Bowen, Gardner, Sam Hunt, Smith, and Wilson - 5.

House Committee Substitute for S.B. 449, A BILL TO BE ENTITLED AN ACT TO REQUIRE OPERATING PERMITS FOR COMMUNITY WATER SYSTEMS REGULATED UNDER THE NORTH CAROLINA DRINKING WATER ACT AND TO AUTHORIZE THE COLLECTION OF FEES FOR SUCH PERMITS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowie, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gamble, Gist, Gottovi, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jerald, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Robinson, Rogers, Russell, Stewart, Tallent, Thompson, Warner, Wilmoth, Withrow, and Woodard - 99.

Voting in the negative: Representative Kimsey.

Excused absences: Representatives Bowen, Gardner, Sam Hunt, Smith, and Wilson - 5.

House Committee Substitute for S.B. 232, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE ELECTION OF THE GOVERNOR, LIEUTENANT GOVERNOR, AND THE REST OF THE COUNCIL OF STATE TO NON-PRESIDENTIAL EVEN-NUMBERED YEARS.

On motion of Representative Ethridge, consideration of the bill is postponed until July 2 by electronic vote (70-20).

H.J.R. 1300, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CARL WILLIAM RULLMAN, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY.

On motion of Representative Isenhower, consideration of the bill is postponed until July 8.

H.B. 1014, A BILL TO BE ENTITLED AN ACT TO RESTORE THE TRADITIONAL CHRISTMAS HOLIDAY SCHEDULE TO STATE EMPLOYEES.

Representative Fitch calls the previous question on the passage of the bill and the call is sustained.

The bill passes its second reading by electronic vote (85-21).

Representative Rhyne objects to the third reading.

Representative Hightower moves that the rules be suspended in order for the bill to be read a third time.

Representative Hightower withdraws the motion to suspend the rules for the bill to be read a third time. The bill remains on the Calendar.

CONFERENCE REPORT

Representative Redwine sends forth the following Conference Report and moves its adoption.

Senate Committee Substitute for H.B. 587

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on Committee Substitute for H.B. 587, A BILL TO BE ENTITLED AN ACT TO ALLOW ATLANTIC BEACH, CAROLINA BEACH, CASWELL BEACH, HOLDEN BEACH, LONG BEACH, OCEAN ISLE BEACH, SUNSET BEACH, TOPSAIL BEACH, WRIGHTSVILLE BEACH, AND YAUPON BEACH TO REGULATE JET SKIING, AND TO AUTHORIZE REGULATION OF JET SKIING IN LAKE NORMAN, Fifth Edition Engrossed 6/10/91, wish to report as follows: The House concurs in the Senate Committee Substitute (Fifth Edition) with the following amendments:

on page 1, lines 5 and 6, by rewriting those lines to read: "BEACH TO REGULATE PERSONAL WATERCRAFT OPERATION, AND TO

AUTHORIZE REGULATION OF PERSONAL WATERCRAFT OPERATION IN LAKE NORMAN"; and

on page 1, line 9, by rewriting that line to read:

"(a) A city may adopt ordinances to regulate and control swimming, ~~personal watercraft operation,~~"; and

on page 2, line 2, by rewriting that line to read:

~~"section, the Commission may regulate personal watercraft operation in Lake Norman and from its"; and~~

on page 2, line 4, by rewriting that line to read:

"Davidson and Cornelius may regulate personal watercraft operation within their respective corporate".

And the Senate agrees to the same.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 1st day of July, 1991.

*Conferees for the
Senate*

S/ Franklin L. Block
S/ James S. Forrester
S/ Howard N. Lee

*Conferees for the
House of Representatives*

S/ E. David Redwine
S/ Robert Brawley
S/ John R. Gamble

The Conference Report, which changes the title, is adopted, by electronic vote (96-0), and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 1, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on Senate Committee Substitute for H.B. 587, A BILL TO BE ENTITLED AN ACT TO ALLOW ATLANTIC BEACH, CAROLINA BEACH, CASWELL BEACH, HOLDEN BEACH, LONG BEACH, OCEAN ISLE BEACH, SUNSET BEACH, TOPSAIL BEACH, WRIGHTSVILLE BEACH, AND YAUPON BEACH TO REGULATE JET SKIING, AND TO AUTHORIZE REGULATION OF JET SKIING IN LAKE NORMAN, which changes the title to read Senate Committee Substitute for H.B. 587, A BILL TO BE ENTITLED AN ACT TO ALLOW ATLANTIC BEACH, CAROLINA BEACH, CASWELL BEACH, HOLDEN BEACH, LONG BEACH, OCEAN ISLE BEACH, SUNSET BEACH, TOPSAIL BEACH, WRIGHTSVILLE BEACH, AND YOUNG BEACH TO REGULATE PERSONAL WATERCRAFT OPERATION, AND TO AUTHORIZE REGULATION OF PERSONAL WATERCRAFT OPERATION IN LAKE NORMAN, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

H.B. 794, A BILL TO BE ENTITLED AN ACT TO ALLOW SAMPSON COUNTY TO ACQUIRE PROPERTY FOR USE BY THE SAMPSON COUNTY BOARD OF EDUCATION, is returned for concurrence in Senate amendment and placed on the Calendar for July 2.

H.B. 1224, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCENTIVE FOR THE USE OF RECYCLED NEWSPRINT BY REQUIRING PUBLISHERS WHO DO NOT USE A MINIMUM AMOUNT OF RECYCLED NEWSPRINT TO PAY A TAX ON NON-RECYCLED NEWSPRINT, is returned for concurrence in Senate amendment and placed on the Calendar for July 2.

H.B. 763, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE CITY OF DURHAM CHARTER, is returned for concurrence in Senate amendment and placed on the Calendar for July 2.

S.B. 804, A BILL TO BE ENTITLED AN ACT TO REQUIRE STUDENTS ENROLLED IN PUBLIC KINDERGARTEN, FIRST GRADE OR SECOND GRADE WHO ARE UNDER THE AGE OF SEVEN TO ATTEND SCHOOL, is read the first time and referred to the Committee on Education.

On motion of Representative Jack Hunt, seconded by Representative Huffman, the House adjourns at 9:26 p.m. to reconvene July 2 at 1:30 p.m.

NINETY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, July 2, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of July 1 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (74-1).

Leaves of absence are granted Representatives Rogers and Smith for today.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Hasty for the Committee on Economic Expansion:

S.B. 429, A BILL TO BE ENTITLED AN ACT TO AMEND THE UNEMPLOYMENT INSURANCE LAW PERTAINING TO HEARINGS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for July 4. The original bill is placed on the Unfavorable Calendar.

By Representatives Hackney and Miller for the Committee on Finance:

Committee Substitute for **H.B. 564, A BILL TO BE ENTITLED AN ACT TO REGULATE THE PRACTICE OF DIETETICS/NUTRITION**, with a favorable report, as amended.

Committee Substitute for **S.B. 450, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CERTIFICATION OF WATER POLLUTION CONTROL SYSTEM OPERATORS BY EXPANDING THE FUNCTIONS OF THE WASTEWATER TREATMENT PLANT OPERATORS CERTIFICATION COMMISSION AND TO RENAME THE COMMISSION AS THE WATER POLLUTION CONTROL SYSTEM OPERATORS CERTIFICATION COMMISSION**, with a favorable report.

Committee Substitute No. 2 for **S.B. 534, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF COLUMBUS TO LEVY A ROOM OCCUPANCY TAX**, with a favorable report.

By Representative Michaux for the Committee on Courts, Justice, Constitutional Amendments and Referenda:

S.B. 680, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AGE LIMITATIONS FOR SERVICE AS A JUSTICE OR JUDGE OF THE APPELLATE DIVISION OF THE GENERAL COURT OF JUSTICE, with an unfavorable report.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 1, 1991

Mr. Speaker:

Pursuant to your message received July 1 that the House of Representatives fails to concur in the Senate Committee Substitute for **H.B. 54, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE STATUTES RELATING TO CREDIT UNIONS AND TO INCREASE THE PENALTY FOR SUBMITTING LATE REPORTS TO THE ADMINISTRATOR OF CREDIT UNIONS**, and requests conferees, the President Pro Tempore appoints: Senator Staton, Chairman; Senators Carpenter and Warren on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 1, 1991

Mr. Speaker:

Pursuant to your message received July 1 that the House of Representatives fails to concur in Senate Committee Substitute for **H.B. 64, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE AND SIMPLIFY THE SPECIAL LICENSE PLATE LAWS**, and requests conferees, the President Pro Tempore appoints: Senator Goldston, Chairman; Senators Daniel, Smith, and Soles on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 1, 1991

Mr. Speaker:

Pursuant to your message received July 1 that the House of Representatives fails to concur in Senate Amendment No. 1 to Committee Substitute for **H.B. 1073, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES IN BALLOT INSTRUCTIONS AND BALLOT FORMAT**, and requests conferees, the President Pro Tempore appoints: Senator Hunt, Chairman; Senators Sands and Blackmon on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

Senate Committee Substitute for **H.B. 314, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF PROGRAMS TO ADDRESS THE NURSING SHORTAGE IN NORTH CAROLINA**, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 3.

Committee Substitute for **H.B. 308, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL GOVERNMENTAL UNITS TO CONTRACT WITH FINANCIAL INSTITUTIONS FOR RECEIPT OF PAYMENTS OF DELINQUENT PROPERTY TAXES AND INTEREST**, is returned for concurrence in Senate amendment which is ruled to be material, thus constituting the first reading of the bill. The bill is

placed on the Calendar for July 3 for its second roll call reading for concurrence in Senate amendment.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 37**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A HOMEOWNERS RECOVERY FUND UNDER THE SUPERVISION OF THE GENERAL CONTRACTORS LICENSING BOARD, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 3.

Senate Committee Substitute for **H.B. 512**, A BILL TO BE ENTITLED AN ACT TO RATIFY THE PROCEDURE FOR APPOINTING THE MEMBERS OF THE SEDIMENTATION CONTROL COMMISSION IN ACCORDANCE WITH AN OPINION OF THE ATTORNEY GENERAL DATED JULY 10, 1974, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 3.

Committee Substitute for **H.B. 574**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF FOSCOE, is returned for concurrence in Senate amendment and placed on the Calendar for July 3.

Senate Committee Substitute for **H.B. 621**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENTS FOR CONTINUING EDUCATION OF INSURANCE LICENSEES, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 3.

Senate Committee Substitute for **H.B. 918**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PERMISSIBLE ACTIVITIES OF INSURANCE AGENCY OFFICE EMPLOYEES, is returned for concurrence in Senate committee substitute, which changes the title, and referred to the Committee on Rules, Appointments and Calendar.

S.B. 314, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CORRECTION FOR THE DEVELOPMENT AND IMPLEMENTATION OF MANUFACTURING OR OTHER INDUSTRIES WITHIN STATE PRISON FACILITIES BY PRIVATE ENTERPRISES, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 721**, A BILL TO BE ENTITLED AN ACT TO REQUIRE REGISTRATION OF AND FINANCIAL AND ACTUARIAL STATEMENTS FROM COMPANIES OFFERING MOTOR VEHICLE SERVICE AGREEMENTS AND COMPANIES OFFERING HOME APPLIANCE SERVICE AGREEMENTS, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 775, A BILL TO BE ENTITLED AN ACT TO SAVE THE DEDUCTION OF INTERESTS IN CERTAIN TRUSTS FOR THE FEDERAL ESTATE OR GIFT TAX MARITAL DEDUCTION, is read the first time and referred to the Committee on Finance.

S.B. 863, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE STANDARDS LABORATORY AND TO ESTABLISH A FEE SCHEDULE FOR THE STANDARDS LABORATORY, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute No. 2 for **S.B. 893**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE EMPLOYMENT SECURITY COMMISSION RESERVE FUND STATUTES, is read the first time and referred to the Committee Rules, Appointments and Calendar.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative James for the Committee on Agriculture:

S.B. 733, A BILL TO BE ENTITLED AN ACT TO QUALIFY THE STATE FOR FUNDING UNDER THE FEDERAL FARMS FOR THE FUTURE ACT, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Hackney, Committee Amendment No. 1 is adopted.

The bill, as amended, is re-referred to the Committee on Finance.

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

H.J.R. 1305, A JOINT RESOLUTION HONORING THE MEMORY OF THE EARLY SCOTTISH SETTLERS OF NORTH CAROLINA WHO HAVE MADE SIGNIFICANT CONTRIBUTIONS TO THE GROWTH OF THIS STATE AND COUNTRY ON THE OCCASION OF THE 1991 GRANDFATHER MOUNTAIN HIGHLAND GAMES, with a favorable report.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Gamble for the Permanent Subcommittee on Local and Regional Government Revenue:

H.B. 765, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DURHAM COUNTY TO IMPLEMENT A SYSTEM OF IMPACT FEES, reported to the Standing Committee on Finance, with a favorable recommendation as to proposed committee substitute bill, as amended, unfavorable as to original bill.

CALENDAR

Action is taken on the following:

H.B. 794, A BILL TO BE ENTITLED AN ACT TO ALLOW SAMPSON COUNTY TO ACQUIRE PROPERTY FOR USE BY THE SAMPSON COUNTY BOARD OF EDUCATION.

On motion of Representative Bowen, the House concurs in the Senate amendment, which changes the title, and the bill is ordered enrolled.

H.B. 763, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE CITY OF DURHAM CHARTER.

On motion of Representative Luebke, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H.B. 989, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SEPARATE ABC PERMIT FOR HOTELS CHOOSING TO OFFER ALCOHOLIC BEVERAGE SALES FROM LOCKED CABINETS IN GUEST ROOMS.

On motion of Representative Morgan, the House concurs in Senate Amendment No. 1 by electronic vote (78-10).

On motion of Representative Morgan, the House concurs in Senate Amendment No. 2 by electronic vote (82-12).

On motion of Representative Morgan, the House concurs in material Senate Amendment No. 4 on its second roll call reading by the following vote.

Those voting in the affirmative are: Representatives Abernethy, Anderson, Barnes, Barnhill, Bowie, Brawley, Brubaker, Church, Colton, J. W. Crawford, Culp, Cunningham, DeVane, Easterling, Esposito, Fitch, Flaherty, Fussell, Gamble, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hensley, Holmes, Holt, Sam Hunt, Isenhower, James, Jeffus, Jeralds, Jordan, Kennedy, Kimsey, Lineberry, Luebke, Lutz, McGee, McLawhorn, Mavretic, Michaux, Miller, Morgan, Nesbitt, Oldham, Pope, Ramsey, Redwine, Rhodes, Stamey, Stewart, Tallent, Thompson, Wicker, and Withrow - 61.

Voting in the negative: Representatives Albertson, Balmer, Barbee, Beall, Beard, Bowman, Brown, Chapin, Creech, Dawkins, Decker, Dickson, Dockham, Foster, Gardner, Hege, Hightower, Howard, Huffman, Hurley, Jarrell, Justus, Kahl, Lewis, Ligon, Lilley, Loflin, McLaughlin, Mercer, Nye, Rhyne, Robinson, Russell, Warner, Wilson, Wood, and Woodard - 37.

Excused absences Representatives Rogers and Smith - 2.

The bill remains on the Calendar for concurrence in Senate Amendment No. 4 on its third roll call reading.

Senate Committee Substitute for H.B. 516, A BILL TO BE ENTITLED AN ACT REQUIRING TRAFFIC SIGNS AND OTHER TRAFFIC CONTROL DEVICES ON ALL HIGHWAYS AND PUBLIC VEHICULAR AREAS TO CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.

On motion of Representative Sam Hunt, the House concurs in the Senate committee substitute, by electronic vote (96-0), and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for **H.B. 1107**, A BILL TO BE ENTITLED AN ACT TO ALLOW PETS IN HOTEL ROOMS AT THE INNKEEPER'S PREROGATIVE.

On motion of Representative Payne, consideration of the bill is postponed until July 4.

Senate Committee Substitute for House Committee Substitute for **H.B. 1131**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DEMOLITION ASPHALT MAY BE USED AS FILL.

On motion of Representative Grimmer, the House concurs in the Senate committee substitute, by electronic vote (97-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 180**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DOLLAR AMOUNT FOR WHICH CERTAIN PROPERTY OFFENSES ARE DESIGNATED FELONIES RATHER THAN MISDEMEANORS AND TO MAKE CONFORMING CHANGES.

On motion of Representative Flaherty, the House concurs in the Senate committee substitute, by electronic vote (95-1), and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for **H.B. 283**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING ASSAULTS ON GOVERNMENTAL OFFICERS AND EMPLOYEES AND TO MAKE IT A FELONY TO ASSAULT A GOVERNMENTAL OFFICER OR EMPLOYEE WITH A DEADLY WEAPON.

On motion of Representative Dickson, the House concurs in the Senate committee substitute, by electronic vote (93-0), and the bill is ordered enrolled.

Senate Committee Substitute No. 2 for **H.B. 330**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF MOTOR VEHICLE DEALER.

On motion of Representative Creech, the House concurs in Senate Committee Substitute No. 2, by electronic vote (100-1), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 400**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE BOARD OF MORTUARY SCIENCE PROCEDURES.

Representatives Hardaway and Lineberry request that they be excused from voting on this bill under Rule 24.1A and this request is granted.

On motion of Representative Mercer, the House concurs in the Senate committee substitute, by electronic vote (93-2), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 493**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STATE ASSISTANCE AND INTERVENTION IN LOW PERFORMING SCHOOL UNITS.

On motion of Representative Nesbitt, the House concurs in the Senate committee substitute, by electronic vote (84-13), and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for **H.B. 838, A BILL TO BE ENTITLED AN ACT TO MAKE THE DESTRUCTION OF ANY LAWFULLY GROWN CROP, PASTURE, OR PROVENDER A CRIMINAL OFFENSE.**

On motion of Representative Beall, the House concurs in the Senate committee substitute, by electronic vote (97-0), and the bill is ordered enrolled.

H.B. 895, A BILL TO BE ENTITLED AN ACT TO ESTABLISH RETAIL PRICE TO BE PAID FOR WARRANTY WORK PERFORMED BY MOTOR VEHICLE DEALERS.

On motion of Representative Brubaker, the House concurs in the Senate amendment, by electronic vote (94-0), and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for **H.B. 1111, A BILL TO BE ENTITLED AN ACT TO REQUIRE PERSONS WHO ACCEPT USED GOODS ON CONSIGNMENT TO KEEP RECORDS OF THE CONSIGNED GOODS.**

On motion of Representative Jeralds, the House concurs in the Senate committee substitute, by electronic vote (91-1), and the bill is ordered enrolled.

H.B. 1224, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCENTIVE FOR THE USE OF RECYCLED NEWSPRINT BY REQUIRING PUBLISHERS WHO DO NOT USE A MINIMUM AMOUNT OF RECYCLED NEWSPRINT TO PAY A TAX ON NON-RECYCLED NEWSPRINT.

On motion of Representative Mavretic, the House concurs in the Senate amendment, by electronic vote (88-0), and the bill is ordered enrolled.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Barnes for the Committee on Education:

S.B. 324, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STUDENT ASSIGNMENT LAW AND TO PROVIDE FOR THE ASSIGNMENT OF CHILDREN OF HOMELESS INDIVIDUALS AND OF HOMELESS CHILDREN, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for July 4. The original bill is placed on the Unfavorable Calendar.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 12, AN ACT MAKING THE ADMINISTRATIVE RULE-MAKING PROCESS MORE UNIFORM AND TO CLARIFY THE SCOPE OF A RULE. (CHAPTER 477)

S.B. 20, AN ACT TO PROVIDE AN EXEMPTION FROM CERTAIN DRIVERS LICENSES FOR PUBLIC SAFETY WORKERS. (CHAPTER 478)

S.B. 107, AN ACT TO SIMPLIFY AND MODERNIZE PRIVILEGE LICENSE TAXES RELATING TO DRY CLEANERS AND LAUNDRIES. (CHAPTER 479)

S.B. 336, AN ACT TO AMEND THE LAW RELATING TO THE NORTH CAROLINA MEDICAL DATABASE COMMISSION. (CHAPTER 480)

S.B. 359, AN ACT TO TRANSFER AUTHORITY TO SET FEES FOR SCREENING TESTS FOR ASBESTOSIS OR SILICOSIS TO THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES. (CHAPTER 481)

S.B. 376, AN ACT ADOPTING THE RECOMMENDATIONS OF THE MENTAL HEALTH STUDY COMMISSION CONCERNING MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE SERVICES IN JAILS. (CHAPTER 482)

S.B. 530, AN ACT TO REPEAL THE SUNSET ON OPEN SEASONS FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN CERTAIN COUNTIES, TO PROHIBIT HUNTING ON THE LAND OF ANOTHER WITHOUT PERMISSION IN CERTAIN COUNTIES, TO ESTABLISH A SEASON FOR TAKING BEAVER IN CERTAIN COUNTIES, AND TO ESTABLISH A SEASON FOR TAKING FOXES IN EDGEcombe COUNTY. (CHAPTER 483)

S.B. 762, AN ACT TO PROVIDE THAT A PERSON CONVICTED OF POSSESSION OF A CONTROLLED SUBSTANCE ON PRISON OR JAIL PREMISES SHALL BE GUILTY OF A CLASS I FELONY. (CHAPTER 484)

S.B. 774, AN ACT TO ESTABLISH THE USE OF FISCAL YEARS FOR PROBATE ACCOUNTING PURPOSES. (CHAPTER 485)

S.B. 934, AN ACT TO PERMIT COMMITMENT TO SATELLITE JAIL/WORK RELEASE UNITS. (CHAPTER 486)

H.B. 23, AN ACT TO MODIFY THE FUEL TAX STATUTES TO ENABLE NORTH CAROLINA TO ENTER THE INTERNATIONAL FUEL TAX AGREEMENT. (CHAPTER 487)

H.B. 135, AN ACT TO REQUIRE A CERTIFIED TRANSPORTER OF USED OIL TO MARK ALL ITS VEHICLES OR CONTAINERS OF USED OIL ON THE VEHICLES WHICH TRANSPORT USED OIL. (CHAPTER 488)

H.B. 289, AN ACT TO VALIDATE CERTAIN CONVEYANCES WHERE SEALS WERE OMITTED OR NOTARY WAS NOT

QUALIFIED, CERTAIN NOTICES TO CREDITORS OF DECEDENTS WHERE THE DEADLINE FOR SUBMITTING CLAIMS WAS OMITTED, AND CERTAIN FORECLOSURE SALES. (CHAPTER 489)

H.B. 347, AN ACT TO REQUIRE MAMMOGRAM AND PAP SMEAR COVERAGE IN HEALTH AND ACCIDENT INSURANCE POLICIES, IN HOSPITAL OR MEDICAL SERVICES PLANS, AND IN HMO PLANS. (CHAPTER 490)

H.B. 418, AN ACT TO RESOLVE INCONSISTENCIES BETWEEN G.S. 8-83 AND G.S. 1A-1, RULES 32 AND 40, REGARDING THE ADMISSION OF DEPOSITIONS AT TRIAL AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND USE OF DEPOSITIONS OF MEMBERS OF THE GENERAL ASSEMBLY AND CONGRESS. (CHAPTER 491)

H.B. 455, AN ACT TO CONFORM CERTAIN PROVISIONS OF THE WAGE AND HOUR ACT TO FEDERAL LAW. (CHAPTER 492)

H.B. 513, AN ACT TO CREATE THE MISDEMEANOR OFFENSE OF ETHNIC INTIMIDATION AND TO ADD ETHNIC ANIMOSITY AS AN AGGRAVATING FACTOR TO BE CONSIDERED IN FELONY SENTENCES. (CHAPTER 493)

H.B. 587, AN ACT TO ALLOW ATLANTIC BEACH, CAROLINA BEACH, CASWELL BEACH, HOLDEN BEACH, LONG BEACH, OCEAN ISLE BEACH, SUNSET BEACH, TOPSAIL BEACH, WRIGHTSVILLE BEACH, AND YAUPON BEACH TO REGULATE PERSONAL WATERCRAFT OPERATION, AND TO AUTHORIZE REGULATION OF PERSONAL WATERCRAFT OPERATION IN LAKE NORMAN. (CHAPTER 494)

H.B. 604, AN ACT TO INCREASE THE SURETY BOND TO BE SUBMITTED BY AN APPLICANT FOR A LICENSE AS A MOTOR VEHICLE DEALER, MANUFACTURER, DISTRIBUTION BRANCH, OR FACTORY BRANCH. (CHAPTER 495)

H.B. 624, AN ACT TO MODIFY THE AUTHORITIES OF MCDO-
WELL COUNTY, BURKE COUNTY AND FORSYTH COUNTY
AND THE MUNICIPALITIES THEREIN TO UNDERTAKE LOCAL
DEVELOPMENT ACTIVITIES. (CHAPTER 496)

H.B. 663, AN ACT TO REWRITE THE LAW RELATING TO
SUPPLEMENTAL RETIREMENT FUNDS FOR FIREMEN IN THE
CITY OF ROCKY MOUNT TO PROVIDE A SUPPLEMENTAL RE-
TIREMENT FUND FOR THE FIREMEN. (CHAPTER 497)

H.B. 667, AN ACT TO REQUIRE AN APPLICANT FOR A PER-
MIT FOR DISPOSAL OF WASTE BY LAND APPLICATION TO
NOTIFY EACH CITY AND COUNTY GOVERNMENT WITH JU-
RISDICTION OVER THE LAND INVOLVED. (CHAPTER 498)

H.B. 674, AN ACT TO MERGE THE TOWNS OF JONESVILLE
AND ARLINGTON IN YADKIN COUNTY, SUBJECT TO A REFER-
ENDUM. (CHAPTER 499)

H.B. 702, AN ACT CONCERNING REDISTRICTING FOR LOCAL ELECTIONS IN ROBESON COUNTY. (CHAPTER 500)

H.B. 719, AN ACT TO GRANT TO MUNICIPALITIES CERTAIN POWERS AUTHORIZED BY SECTION 13 OF ARTICLE V OF THE CONSTITUTION OF NORTH CAROLINA. (CHAPTER 501)

H.B. 760, AN ACT TO AUTHORIZE CERTAIN MUNICIPALITIES TO SEND ONE ITEMIZED BILL FOR SOLID WASTE, WATER, AND SEWAGE SERVICES, AND TO PROVIDE FOR TERMINATION OF SERVICES FOR NONPAYMENT. (CHAPTER 502)

H.B. 764, AN ACT TO AUTHORIZE THE CITY AND COUNTY OF DURHAM TO ALLOW ZONING DENSITY BONUSES IN PROJECTS CONTAINING SPECIFIED AMOUNTS OF LOW AND MODERATE INCOME HOUSING. (CHAPTER 503)

H.B. 801, AN ACT TO MODIFY THE STATUTORY AUTHORITY OF STANLY COUNTY TO REGULATE THE SUBDIVISION OF LAND. (CHAPTER 504)

H.B. 837, AN ACT TO STRENGTHEN LAWS PROHIBITING THE USE OF POLITICAL INFLUENCE CONCERNING STATE EMPLOYMENT. (CHAPTER 505)

H.B. 869, AN ACT TO INCREASE EXEMPT PROPERTY VALUES AND CLARIFY THE EFFECT OF EXEMPTIONS, TO AUTHORIZE CERTAIN LOAN AND APPRAISAL FEES, TO AMEND THE USURY LAWS APPLICABLE TO COMMERCIAL LOANS, TO AUTHORIZE THE IMPOSITION OF AN ANNUAL FEE OR MONTHLY SERVICE CHARGE ON CREDIT PLANS, AND TO AMEND THE LAW REGARDING ASSUMPTION FEES IN CONNECTION WITH CERTAIN REAL ESTATE LOANS. (CHAPTER 506)

H.B. 925, AN ACT TO PROVIDE A GRACE PERIOD FOR PLUMBING AND HEATING CONTRACTORS ELIGIBLE TO OBTAIN A LICENSE WITHOUT EXAMINATION. (CHAPTER 507)

H.B. 965, AN ACT TO AUTHORIZE THE ADVANCEMENT OF FUNDS FOR REVENUE BOND PROJECTS BY POLITICAL SUBDIVISIONS AND THE REPAYMENT OF THESE ADVANCES FROM REVENUE BOND PROCEEDS, AND TO PROVIDE FOR THE APPOINTMENT OF COUNTY AND CITY OFFICIALS TO GOVERNING BOARDS OF AUTHORITIES. (CHAPTER 508)

H.B. 987, AN ACT TO CLARIFY THAT A PERSON MUST BE CONVICTED OF A DRIVING OFFENSE THAT OCCURRED DURING THE PERIOD OF SUSPENSION BEFORE A SUSPENSION MAY BE LENGTHENED BASED ON THAT CONVICTION. (CHAPTER 509)

H.B. 1002, AN ACT TO CLARIFY CERTAIN PROVISIONS CONTAINED IN THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW. (CHAPTER 510)

H.B. 1016, AN ACT TO AUTHORIZE ISSUANCE OF BONDS FOR FINANCING GAS SYSTEMS OR FACILITIES. (CHAPTER 511)

H.B. 1017, AN ACT TO PROVIDE SUBPOENA POWER TO ALL MUNICIPALITIES, TO PROVIDE FOR THE APPEAL FROM A STOP ORDER ISSUED FOR VIOLATION OF A ZONING ORDINANCE, AND TO AMEND THE STATUTE RELATING TO VOTING REQUIREMENTS FOR ZONING DECISIONS. (CHAPTER 512)

H.B. 1018, AN ACT TO AUTHORIZE JOINT MUNICIPAL POWER AGENCIES TO ENCUMBER CERTAIN PROPERTY. (CHAPTER 513)

H.B. 1060, AN ACT TO INCREASE THE LENGTH OF TIME FOR WHICH THE EFFECTIVE DATE OF A CERTIFICATE OF APPROPRIATENESS MAY BE DELAYED. (CHAPTER 514)

H.B. 1108, AN ACT TO ENACT THE PUBLIC BATHROOM EQUITY ACT. (CHAPTER 515)

H.B. 1132, AN ACT TO AUTHORIZE A SINGLE COUNTY TO ORGANIZE A WATER AND SEWER AUTHORITY PURSUANT TO CHAPTER 162A OF THE GENERAL STATUTES. (CHAPTER 516)

H.B. 1236, AN ACT TO CONFORM THE CRITERIA FOR DESIGNATION AS A DISTRESSED COUNTY FOR INCOME TAX PURPOSES TO THE CRITERIA USED BY THE INDUSTRIAL DEVELOPMENT FUND, TO INCREASE THE NUMBER OF SEVERELY DISTRESSED COUNTIES TO THIRTY-THREE, AND TO REPEAL THE SUNSET. (CHAPTER 517)

CALENDAR (continued)

S.B. 564, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF HIGHLANDS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Brawley, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Esposito, Ethridge, Flaherty, Foster, Fussell, Gardner, Grady, Gray, Green, Greenwood, Grimmer, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Loflin, Luebke, Lutz, McLaughlin, McLawhorn, Mavretic, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Russell, Stewart, Tallent, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 93.

Voting in the negative: None.

Excused absences: Representatives Rogers and Smith - 2.

SUSPENSION OF RULES TO PLACE ON CALENDAR

On motion of Representative Mavretic, the rules are suspended and **S.B. 788, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ENERGY DIVISION OF THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT AND THE DEPARTMENT OF ADMINISTRATION TO STUDY THE USE OF CLEAN TRANSPORTATION FUELS IN STATE-OWNED VEHICLES AND TO DEVELOP A DEMONSTRATION PROJECT USING NATURAL GAS AS THE FUEL FOR STATE-OWNED VEHICLES**, is withdrawn from the Committee on State Government and placed on the Calendar for July 3.

PERSONAL PRIVILEGE

Representative Colton rises on a point of personal privilege and reads the following original composition reflecting the membership of the House.

SHOOTOUT AT G.A. CORRAL

"What made our Speaker, DAN, BLUE?
Why was the J.P. GREEN around the gills?
We were in the NARVEL position of having no money!
The budget was nowhere NYE in the BLACK....

"There was the usual FUSSELL;
to be FRANK, RHODES were getting more than schools.
Could CAROLYN RUSSELL up money from new sources?
We needed a wise BEARD and an EAGLE's eye....

"Would JOHN GAMBLE on a lottery instead of an amusement tax?
GEORGE didn't want a transfer tax on HOLMES,
TOMMY said that was too HARDAWAY to raise money.
LUEBKE said we shouldn't rob PETER to pay PAUL...

"In spite of TIM's TALLENT, we couldn't get a-HOLT of a solution.
We never saw HARRY GRIMMER.
It was enough to turn LYONS GRAY and to FOYLE HIGHTOWER.
It gave HARRY PAYNE in the you-know-what.
Could JONI BOWIE us with her smile?
We could HUNT and HUNT and HUNT; in fact we sent out both our HUNTERS but at last report they were lost in the GREENWOOD without a BOWMAN.

"The signs were bad -- not a MARTIN was left in the BARNES;
SAM had retreated to his BURROUGHS.
HERMAN couldn't get the GIST of the problem.
We said 'ADOLPH, DIAL-a-prayer!'
but according to JOHN, CHURCH was out.
LEO said, "Have MERCER upon us."
WILMOTH was reluctant to WADE in,
but LEWIS said all the BILLS would soon be due....

"FLETCHER wondered if there was a RAY of hope. Even with his ART, POPE couldn't manage to reduce the deficit. In the HURLEY-burley, PETE said, 'I don't want to be HASTY.' JOE talked about worse times to come, not the usual smart-ALEC WARNER but a real MAVRETIC....

"In order to FOSTER better spirits, DAVID ordered REDWINE and some Bloody MARYs for an early Sunday brunch. This was enough to drive BRAD M.A.D.D.! Never one to be COY, PRIVETTE scotched that. We extended the nighttime drinking hours, for PETE's sake, and ISENHOWER raised a STINE of BRU whereupon THERESA threatened an ESPOSITO....

"Opposing RICHARD on the subject of hotel guest room cabinets, MICHAUX said that would slip people a MICKEY and make every TOM, DICK and HARRY, maybe even ROBERT, BRAWLEY. DAN said he would remain pure as a LILLEY...

"Appropriations had a DIAMONT in DAVE. And in Finance, JOE told MILLER not to HACKNEY the tax issue, by GEORGE. JOHN had a bill to outlaw off-premise KERR sales. One member said he didn't give a JOHN BROWN for tobacco taxes, But would RAMSEY LISTON?....

"LARRY sang 'I looked over JORDAN and what did I see?' to which DECKER responded 'MICHAEL, row the boat ashore.' ALBERTSON played 'Amazing GRACE'.... "Not many Republicans were expected to vote for the budget but we thought STEPHEN WOOD...

"Some items we could DUB less vexing: PAUL demanded potty JUSTUS; 'B' said her bill would not clog up the schedule; GOTTOVI wasn't KAREN for billboards on I-40; JERALDS outlawed beating the ole' NICK out of babies in day care....

"Just as CHARLIE was ready to ring the BEALL. MARIE said, 'enough of this BUNCOMBE. I move we adjourn.'"

Si Marie Colton

CALENDAR (continued)

House Committee Substitute for S.B. 585, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO CHANGE THE MANNER IN WHICH CORNER LOT RELIEF FROM SPECIAL ASSESSMENTS FOR WATER AND SEWER PROJECTS IS CALCULATED; TO REPEAL THE MERCHANT'S DISCOUNT UNDER THE MOORESVILLE ROOM OCCUPANCY TAX; AND TO AUTHORIZE RUTHERFORD COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Fussell, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Robinson, Russell, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 100.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Rogers and Smith - 2.

H.B. 452, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON ANNUAL FEES CHARGED BY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO SUPPORT PUBLIC HEALTH PROGRAMS, AND TO EXEMPT NUTRITION PROGRAMS FOR THE ELDERLY FROM SUCH FEES.

Representative Redwine offers Amendment No. 1 which is adopted by electronic vote (100-0).

Representative Decker offers Amendment No. 2.

Responding to inquiry by Representative Hackney, the Speaker rules that Amendment No. 2 does not relate to the title of the bill and is therefore out of order. The amendment is returned to Representative Decker.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Barbee, Barnes, Barnhill, Beall, Beard, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Colton, N. J. Crawford, Cunningham, Dawkins, DeVane, Diamont, Dickson, Easterling, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green Greenwood, Grimmer, Hackney, Hardaway, Hensley, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, Mavretic, Mercer, Michaux, Miller, Morgan, Oldham, Payne, Privette, Ramsey, Rhodes, Rhyne, Robinson, Russell, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, and Withrow - 82.

Voting in the negative: Representatives Balmer, Church, J. W. Crawford, Culp, Decker, Gist, Hasty, Hege, Kimsey, Lewis, Ligon, Loflin, McLaughlin, Nye, Pope, Redwine, Wood, and Woodard - 18.

Excused absences: Representatives Rogers and Smith - 2.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 765, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DURHAM COUNTY TO IMPLEMENT A SYSTEM OF IMPACT FEES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for July 4. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

House Committee Substitute for **S.B. 449, A BILL TO BE ENTITLED AN ACT TO REQUIRE OPERATING PERMITS FOR COMMUNITY WATER SYSTEMS REGULATED UNDER THE NORTH CAROLINA DRINKING WATER ACT AND TO AUTHORIZE THE COLLECTION OF FEES FOR SUCH PERMITS**, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Bowie, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Gamble, Gottovi, Grady, Gray, Greenwood, Grimmer, Hackney, Hasty, Hege, Hensley, Hightower, Holt, Howard, Jack Hunt, Judy Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Justus, Kahl, Kennedy, Kerr, Lewis, Ligon, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Nye, Oldham, Payne, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Russell, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Withrow, and Woodard - 89.

Voting in the negative: Representatives Creech and Decker - 2.

Excused absences: Representatives Rogers and Smith - 2.

H.B. 1273, A BILL TO BE ENTITLED AN ACT TO ALLOW EMPLOYEES OF THE GENERAL ASSEMBLY TO RECEIVE RETIREMENT CREDIT FOR FULL-TIME TEMPORARY SERVICE WITH OTHER STATE AGENCIES.

Representative Mavretic moves that the bill be withdrawn from today's Calendar and placed on the Calendar for July 3. This motion fails by electronic vote (45-51).

The bill passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Albertson, Anderson, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, DeVane, Diamont, Easterling, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gottovi, Grady, Green, Greenwood, Hardaway, Hightower, Holt, Judy Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jerals, Jones, Jordan, Kahl, Kennedy, Kerr, Kimsey, Ligon, Lilley, Lineberry, Luebke, Lutz, McGee, McLawhorn, Mercer, Michaux, Miller, Nesbitt, Nye, Oldham, Payne, Ramsey, Redwine, Rhodes, Stamey, Stewart, Thompson, Wainwright, Warner, Wicker, Wilmoth, Withrow, Wood, and Woodard - 77.

Voting in the negative: Representatives Abernethy, Balmer, Brawley, Brown, Brubaker, Creech, Decker, Dickson, Dockham, Esposito, Gardner, Grimmer, Hege, Holmes, Howard, Huffman, Justus, Lewis, Loflin, McAllister, McLaughlin, Mavretic, Pope, Privette, Rhyne, Russell, Tallent, and Wilson - 28.

Excused absences: Representatives Rogers and Smith - 2.

House Committee Substitute for S.B. 232, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE ELECTION OF THE GOVERNOR, LIEUTENANT GOVERNOR, AND THE REST OF THE COUNCIL OF STATE TO NON-PRESIDENTIAL EVEN-NUMBERED YEARS.

On motion of Representative Ethridge, consideration of the bill is postponed until July 3.

House Committee Substitute for S.B. 669, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A PORK PROMOTION ASSESSMENT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Easterling, Esposito, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Holt, Judy Hunt, R. Hunter, James, Jarrell, Jordan, Justus, Kahl, Kerr, Kimsey, Lewis, Ligon, Lilley, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Ramsey, Rhodes, Rhyne, Russell, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 85.

Voting in the negative: None.

Excused absences: Representatives Rogers and Smith - 2.

H.B. 281, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ACQUIRE PROPERTY FOR NEW RAILROAD CORRIDORS AND TO ENTER IN-

STALLMENT CONTRACTS FOR THE PURCHASE OF RAILROAD CORRIDORS AND OTHER RAIL PROPERTY.

On motion of Representative Stamey, the House does not concur in the Senate amendment, by electronic vote (79-1), and conferees are requested.

The Speaker announces the appointment of Representatives Stamey, Sam Hunt and Dawkins as conferees and the Senate is so notified by Special Message.

CONFEREES ANNOUNCED

The Speaker announces the appointment of Representatives Bowen, Fitch, Sam Hunt, Barnes, and Buchanan as conferees on **S.B. 16, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS**, and the Senate is so notified by Special Message.

CALENDAR (continued)

House Committee Substitute for **S.B. 465, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE COMMUNITY PENALTIES PROGRAM FROM THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO THE ADMINISTRATIVE OFFICE OF THE COURTS.**

Representative Rhyne moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

Responding to inquiry by Representative Decker, the Speaker rules that the title adequately reflects the contents of the bill and for that reason does not need to go back to committee.

The motion to re-refer the bill to committee fails.

Representative Decker offers Amendment No. 1.

Representative Barnes moves, seconded by Representative Dawkins, that Amendment No. 1 do lie upon the table. A division having been called, the amendment is tabled by electronic vote (58-39).

The bill, as amended, passes its third reading, by electronic vote (68-28), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

S.B. 809, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FISHERIES LICENSES BE ISSUED ON A FISCAL YEAR BASIS, INCREASE THE FEE FOR A LICENSE, AND PROVIDE THAT LICENSE AGENTS BE BONDED, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Colton, Creech, Culp, Cunningham, Dawkins, DeVane, Diamont,

Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, Hurley, Isenhower, James, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Rhodes, Rhyne, Robinson, Russell, Stamey, Tallent, Thompson, Wainwright, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 99.

Voting in the negative: None.

Excused absences: Representatives Rogers and Smith - 2.

Committee Substitute for **S.B. 397**, A BILL TO BE ENTITLED AN ACT TO INCREASE AND MAKE UNIFORM THE FEES FOR COPYING A FILED DOCUMENT, COMPARING A COPY TO THE ORIGINAL FILED DOCUMENT, AND CERTIFYING A DOCUMENT UNDER THE BUSINESS CORPORATION ACT, THE NON-PROFIT CORPORATION ACT, AND THE REVISED UNIFORM LIMITED PARTNERSHIP ACT.

On motion of Representative Kennedy, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, Culp, Cunningham, Dawkins, DeVane, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Grimmer, Hackney, Hardaway, Hege, Hensley, Holmes, Holt, Howard, Huffman, Judy Hunt, Hurley, Isenhower, James, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Oldham, Payne, Pope, Privette, Ramsey, Rhodes, Rhyne, Robinson, Russell, Tallent, Thompson, Wilmoth, Wilson, Withrow, Wood, and Woodard - 87.

Voting in the negative: Representatives Albertson, J. W. Crawford, Creech, Decker, Hasty, Hightower, Ligon, and Nye - 8.

Excused absences: Representatives Rogers and Smith - 2.

REPRESENTATIVE COLTON, SPEAKER PRO TEMPORE, PRESIDING.

H.B. 1014, A BILL TO BE ENTITLED AN ACT TO RESTORE THE TRADITIONAL CHRISTMAS HOLIDAY SCHEDULE TO STATE EMPLOYEES.

Representative Rhyne offers Amendment No. 1.

On motion of Representative Nesbitt, seconded by Representative Diamont, Amendment No. 1 is tabled by electronic vote (63-37).

SPEAKER BLUE PRESIDING.

The bill passes its third reading, by electronic vote (73-31), and is ordered sent to the Senate by Special Message.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

S.J.R. 962, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ANGELINE DAVIS SMITH, is read the first time.

On motion of Representative Gist, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (84-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

CALENDAR (continued)

House Committee Substitute for **S.B. 373, A BILL TO BE ENTITLED AN ACT TO ADD FOUR MEMBERS TO THE NORTH CAROLINA BOARD OF SCIENCE AND TECHNOLOGY,** passes its second reading, by electronic vote (80-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

S.B. 664, A BILL TO BE ENTITLED AN ACT TO INCREASE THE JURISDICTION OF MAGISTRATES AND CLERKS OF A COURT IN WORTHLESS CHECK CASES, passes its second reading, by electronic vote (82-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

House Committee Substitute for **S.B. 424, A BILL TO BE ENTITLED AN ACT TO EXPAND THE AUTHORITY OF THE COURTS TO REQUIRE PAYMENT OF ATTORNEYS' FEES BY PARENTS WHO ARE FINANCIALLY ABLE TO PAY AND TO PROVIDE A PILOT PROGRAM EXPANDING THE AUTHORITY OF THE ADMINISTRATIVE OFFICE OF THE COURTS TO CONTRACT FOR THE SERVICES OF PRIVATE ATTORNEYS FOR SPECIALIZED REPRESENTATION OF INDIGENTS.**

Representative Kerr offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (86-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

RE-REFERRAL

On motion of Representative Diamont, House Committee Substitute for **H.B. 1062**, A BILL TO BE ENTITLED AN ACT TO PHASE IN CHANGES TO STAFF-CHILD RATIOS AND GROUP SIZES IN CHILD DAY CARE FACILITIES, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules, Appointments and Calendar.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Jeralds for the Committee on Human Resources:

Committee Substitute for **S.B. 758**, A BILL TO BE ENTITLED AN ACT PERTAINING TO TRAINING REQUIREMENTS FOR TANNING BED OPERATORS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for July 4. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 814**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE ADVISORY COMMITTEE ON HOME AND COMMUNITY CARE FOR OLDER ADULTS, with a favorable report.

RE-REFERRAL

On motion of Representative Jeralds, **H.B. 880**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MANDATORY CERTIFICATION OF CLINICAL SOCIAL WORKERS, is withdrawn from the Permanent Subcommittee on Health and Mental Health and re-referred to the Standing Committee on Human Resources.

CALENDAR (continued)

House Committee Substitute for **S.B. 473**, A BILL TO BE ENTITLED AN ACT TO REPEAL G.S. 47-8, TO PROTECT THE EFFICACY OF CERTAIN JUDGMENTS ENTERED IN RELIANCE UPON DOCUMENTS NOTARIZED BY ATTORNEYS AND TO VALIDATE CERTAIN ACTS OF NOTARIES PUBLIC, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for **S.B. 778**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING THE

EXECUTION OF CORPORATE INSTRUMENTS, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

S.B. 411, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE PERINATAL HEALTH CARE PROGRAM ADVISORY COUNCIL, passes its second reading, by electronic vote (90-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 717, A BILL TO BE ENTITLED AN ACT TO TO SUPPORT THE ESSENTIAL ACCESS COMMUNITY HOSPITAL (EACH) PROGRAM, passes its second reading, by electronic vote (93-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 771, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING MENTAL HEALTH CLIENTS' RECORDS**.

Representative Kerr offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (95-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

House Committee Substitute for **S.B. 458, A BILL TO BE ENTITLED AN ACT MAKING TECHNICAL CHANGES TO THE LAWS ADMINISTERED BY THE OFFICE OF THE STATE CONTROLLER, TO REPEAL OBSOLETE LAWS, AND TO REENACT AN INADVERTENTLY REPEALED PREVIOUS LAW**, passes its second reading, by electronic vote (93-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

H.J.R. 1302, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF SIPPION BURTON, JR., CIVIL RIGHTS LEADER.

On motion of Representative Warner, consideration of the bill is postponed until July 9.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representatives Hackney and Miller for the Committee on Finance:

House Committee Substitute No. 1 for S.B. 342, A BILL TO BE ENTITLED AN ACT TO AMEND AND IMPROVE THE INSURANCE LAWS ON THE MONITORING OF THE FINANCIAL CONDITION OF INSURANCE COMPANIES IN ACCORDANCE WITH THE FINANCIAL REGULATION STANDARDS AND INSURANCE DEPARTMENT ACCREDITATION PROGRAM OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

House Committee Substitute Bill No. 2 is placed on the Calendar for July 4. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 2, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in House Committee Substitute for S.B. 688, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE STACKING OF UNINSURED AND UNDERINSURED MOTORIST COVERAGE, and requests conferees. The President Pro Tempore appoints: Senator Sands, Chairman; Senators Odom, Blackmon, Soles, and Seymour on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the difference arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker announces the appointment of Representative Hardaway, Chairman; Representatives Wicker, Payne, Nesbitt, Hackney, Stamey, and Redwine as conferees and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 2, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on Senate Committee Substitute for H.B. 662, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW PROVIDING FOR THE DISPOSITION BY LAUNDRIES AND DRY CLEANERS OF UNCLAIMED GARMENTS AND TO AMEND THE LAW REGARDING DISPOSAL OF UNCLAIMED PROPERTY BY SHERIFFS.

Pursuant to your message that your Honorable Body adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

On motion of Representative Jack Hunt, seconded by Representative Beard, the House adjourns at 5:45 p.m. to reconvene July 3 at 1:30 p.m.

NINETY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, July 3, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of July 2 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (75-0).

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Fletcher for the Permanent Subcommittee on Financial Institutions of the Standing Committee on Commerce, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 1084, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA LINKED DEPOSIT ACT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Appointments and Calendar.

The committee substitute bill is re-referred to the Committee on Rules, Appointments and Calendar. The original bill is placed on the Unfavorable Calendar.

CONFIRMATION OF STATE PERSONNEL COMMISSION

Representative Ramsey sends forth the following report concerning confirmation of the Governor's appointment to the State Personnel Commission.

July 3, 1991

The Honorable Daniel T. Blue, Jr.
Speaker of the House of Representatives
State Legislative Building
Raleigh, North Carolina 27601-1096

Dear Speaker Blue:

In compliance with the provisions of G.S. 126-2(c) that nominees to fill positions or vacancies on the State Personnel Commission shall be subject to confirmation by the General Assembly, Governor Martin has submitted for confirmation by the General Assembly the following name:

Hal L. Scott of Alamance County for a term to begin immediately and to expire June 30, 1993.

The House Public Employees Committee has considered the nominee and makes the following recommendation:

That the nomination of Hal L. Scott as a Member of the State Personnel Commission be confirmed.

Respectfully submitted,
S/ Liston B. Ramsey, Chairman
Public Employees Committee

On motion of Representative Ramsey, the House confirms the appointment of Hal L. Scott as a member of the State Personnel Commission, by electronic vote (79-0), and the Senate is so notified by Special Message.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Hasty for the Committee on Economic Expansion:

Committee Substitute for S.B. 727, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGULATION OF BED AND BREAKFAST INNS, with a favorable report, as amended.

SUBCOMMITTEE REFERRAL

Representative Hardaway, Chairman for the Standing Committee on Commerce, refers:

H.B. 972, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROVISIONS REGULATING "PREFERRED PROVIDERS", to the Permanent Subcommittee on Financial Institutions.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representative Flaherty:

H.J.R. 1308, A JOINT RESOLUTION HONORING THE MEMORY OF JOSEPH CALDWELL AND COLONEL WILLIAM

LENOIR ON THE SESQUICENTENNIAL OF CALDWELL COUNTY, is referred to the Committee on Rules, Appointments and Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 3, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on Senate Committee Substitute for H.B. 796, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PENDER COUNTY COMMISSIONERS TO FILL VACANCIES IN THE OFFICES OF COMMISSIONER AND SHERIFF WITH THE NOMINEE OF THE POLITICAL PARTY COMMITTEE OF THE VACATING OFFICIAL, AND TO REQUIRE THE SAMPSON COUNTY COMMISSIONERS TO FILL VACANCIES IN THE OFFICES OF COMMISSIONER, SHERIFF, AND REGISTER OF DEEDS FROM A LIST OF THREE NOMINEES FOR EACH VACANCY MADE BY THE PARTY COMMITTEE OF THE VACATING OFFICIAL, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 3, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the President Pro Tempore appoints an additional conferee, Senator Warren, on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved on Senate Committee Substitute for H.B. 83, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET AND EXPANSION BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR OTHER PURPOSES; TO PROVIDE FOR BUDGET REFORM; AND TO PROVIDE FOR REVENUE RECONCILIATION.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 3, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the President Pro Tempore appoints an additional conferee, Senator Cooper, on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved on House Committee Substitute for **S.B. 16, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS.**

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 3, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in House Committee Substitute for **S.B. 802, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE POLICY REGARDING WATER WITHDRAWALS AND TO PROVIDE REMEDIES FOR WATER WITHDRAWALS WHICH ARE CONTRARY TO PUBLIC POLICY,** and requests conferees. The President Pro Tempore appoints: Senator Cooper, Chairman; Senators Odom, Ballance, and Tally on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker announces the appointment of Representatives J. W. Crawford, Hardaway and Church as conferees and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

H.B. 790, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE TOWN OF FAISON FROM CERTAIN NOTICE REQUIREMENTS AND TO EXTEND THE TOWN OF FAISON'S EXTRATERRITORIAL JURISDICTION, is returned for concurrence in Senate amendment and placed on the Calendar for July 4.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for H.B. 482, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAWS ON THIRD PARTY ADMINISTRATORS, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 4.

S.B. 230, A BILL TO BE ENTITLED AN ACT TO MAKE THE EFFECTIVE DATE OF THE LAW INCREASING DEATH BENEFITS FOR TEACHERS AND STATE EMPLOYEES THE DATE OF RATIFICATION OF THAT ACT, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 369, A BILL TO BE ENTITLED AN ACT TO PROVIDE MULTIYEAR REGISTRATION PLATES FOR TRAILERS, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 606, A BILL TO BE ENTITLED AN ACT TO ALLOW WAKE COUNTY TO CHARGE JAIL FEES AS A LOCAL REVENUE OPTION, is read the first and referred to the Committee on Finance.

CONFERENCE REPORT

Representative Bowen sends forth the following Conference Report and moves its adoption.

Senate Committee Substitute for H.B. 796

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on Senate Committee Substitute for H.B. 796, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PENDER COUNTY COMMISSIONERS TO FILL VACANCIES IN THE OFFICES OF COMMISSIONER AND SHERIFF WITH THE NOMINEE OF THE POLITICAL PARTY COMMITTEE OF THE VACATING OFFICIAL, AND TO REQUIRE THE SAMPSON COUNTY COMMISSIONERS TO FILL VACANCIES IN THE OFFICES OF COMMISSIONER, SHERIFF, AND REGISTER OF DEEDS FROM A LIST OF THREE NOMINEES FOR EACH VACANCY MADE BY THE PARTY COMMITTEE OF THE VACATING OFFICIAL. Fourth Edition engrossed 6/18/91, wish to report as follows:

The House concurs in the Senate Election Laws Committee Substitute, Third Edition, adopted June 12, 1991.

The Senate recedes from Senate Floor Amendment #1, engrossed into the Fourth Edition, June 18, 1991.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 3rd day of July, 1991.

*Conferees for the
Senate*

S/ Ralph A. Hunt
S/ Ted Kaplan
S/ Alexander P. Sands

*Conferees for the
House of Representatives*

S/ Edward C. Bowen
S/ Charles W. Albertson
S/ Milton F. Fitch
S/ R. Samuel Hunt

The Conference Report is adopted, by electronic vote (81-0), and the Senate is so notified by Special Message.

The Speaker orders the bill enrolled.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 574**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF FOSCOE.

On motion of Representative Judy Hunt, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for **H.B. 989**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SEPARATE ABC PERMIT FOR HOTELS CHOOSING TO OFFER ALCOHOLIC BEVERAGE SALES FROM LOCKED CABINETS IN GUEST ROOMS.

On motion of Representative Morgan, the House concurs in material Senate Amendment No. 4 on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Barnes, Barnhill, Beard, Bowie, Brawley, Brubaker, Church, Colton, J. W. Crawford, Culp, Cunningham, DeVane, Dial, Esposito, Flaherty, Fussell, Gamble, Gist, Gottovi, Grady, Gray, Greenwood, Hackney, Hardaway, Hasty, Hensley, Holt, Sam Hunt, Isenhower, James, Jeffus, Jordan, Lineberry, Loflin, Lutz, McAllister, McGee, McLawhorn, Mavretic, Michaux, Morgan, Nesbitt, Oldham, Pope, Rhodes, Robinson, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, and Withrow - 55.

Voting in the negative: Representatives Albertson, Balmer, Barbee, Beall, Black, Bowen, Bowman, Brown, Buchanan, Chapin, Creech, Decker, Dickson, Dockham, Ethridge, Fletcher, Foster, Gardner, Hege, Hightower, Howard, Huffman, Hurley, Jarrell, Justus, Kahl, Ligon, Lilley, McLaughlin, Mercer, Nye, Privette, Rhyne, Russell, Wilson, Wood, and Woodard - 37.

Excused absence: None.

Committee Substitute for **H.B. 308**, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL GOVERNMENTAL UNITS TO CONTRACT WITH FINANCIAL INSTITUTIONS FOR RECEIPT OF PAYMENTS OF DELINQUENT PROPERTY TAXES AND INTEREST.

On motion of Representative Abernethy, the House concurs in the material Senate amendment on its second roll call reading by the following vote.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Gamble, Gardner, Gottovi, Grady, Greenwood, Hardaway, Hensley, Howard, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jeffus, Jeralds, Jordan, Justus, Kerr, Kimsey, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rogers, Stamey, Stewart, Tallent, Thompson, Warner, Wilmoth, Withrow, and Woodard - 83.

Voting in the negative: Representatives Colton, Green, Hege, Jarrell, Kahl, McLaughlin, Rhyne, Wilson, and Wood - 9.

Excused absence: None.

The bill remains on the Calendar for concurrence in Senate amendment on its third roll call reading.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Cunningham for the Permanent Subcommittee on Housing of the Standing Committee on Commerce, with approval of standing committee chairman for report to be made directly to the floor of the House:

Committee Substitute for S.B. 779, A BILL TO BE ENTITLED AN ACT TO REGULATE RENTAL HOUSING LISTING SERVICES, with a favorable report.

By Representative Cunningham for the Permanent Subcommittee on Housing:

S.B. 570, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES TO VACATE AND CLOSE CERTAIN DWELLINGS FOUND TO BE IN VIOLATION OF THE MINIMUM HOUSING CODE, reported to the Standing Committee on Commerce, with an indefinite postponement report.

CALENDAR (continued)

Senate Committee Substitute for H.B. 953, A BILL TO BE ENTITLED AN ACT TO EXEMPT AREA MENTAL HEALTH AUTHORITIES FROM CERTAIN PROVISIONS OF THE STATE PERSONNEL ACT.

On motion of Representative Gardner, the House concurs in the Senate committee substitute, by electronic vote (89-0), and the bill is ordered enrolled.

Senate Committee Substitute for H.B. 314, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF PROGRAMS TO ADDRESS THE NURSING SHORTAGE IN NORTH CAROLINA.

On motion of Representative Nesbitt, the House concurs in the Senate committee substitute, by electronic vote (89-0), and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute No. 2 for H.B. 37, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A HOMEOWNERS RECOVERY FUND UNDER THE SUPERVISION OF THE GENERAL CONTRACTORS LICENSING BOARD.

On motion of Representative Hasty, the House concurs in the Senate committee substitute, by electronic vote (98-0), and the bill is ordered enrolled.

Senate Committee Substitute for H.B. 512, A BILL TO BE ENTITLED AN ACT TO RATIFY THE PROCEDURE FOR APPOINTING THE MEMBERS OF THE SEDIMENTATION CONTROL COMMISSION IN ACCORDANCE WITH AN OPINION OF THE ATTORNEY GENERAL DATED JULY 10, 1974 AND TO ADD AN ADDITIONAL MEMBER TO THE COMMISSION.

On motion of Representative Flaherty, the House concurs in the Senate committee substitute, by electronic vote (98-0), and the bill is ordered enrolled.

Senate Committee Substitute for H.B. 621, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENTS FOR CONTINUING EDUCATION OF INSURANCE LICENSEES.

On motion of Representative Michaux, the House concurs in the Senate committee substitute, by electronic vote (97-0), and the bill is ordered enrolled.

Committee Substitute No. 2 for S.B. 534, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF COLUMBUS TO LEVY A ROOM OCCUPANCY TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Hardaway, Hasty, Hensley, Holmes, Judy Hunt, Sam Hunt, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kimsey, Lilley, Lineberry, Loflin, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Robinson, Rogers, Smith, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 92.

Voting in the negative: Representatives Hege, Huffman, and Ligon – 3.

Excused absence: None.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 411, AN ACT TO ABOLISH THE PARENTAL HEALTH CARE PROGRAM ADVISORY COUNCIL. (CHAPTER 518)

S.B. 564, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF HIGHLANDS. (CHAPTER 519)

S.B. 664, AN ACT TO INCREASE THE JURISDICTION OF MAGISTRATES AND CLERKS OF A COURT IN WORTHLESS CHECK CASES. (CHAPTER 520)

S.B. 717, AN ACT TO TO SUPPORT THE ESSENTIAL ACCESS COMMUNITY HOSPITAL (EACH) PROGRAM. (CHAPTER 521)

H.B. 133, AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO USE, CONSISTENT WITH ECONOMIC FEASIBILITY AND APPLICABLE ENGINEERING AND ENVIRONMENTAL QUALITY STANDARDS, CERTAIN RECYCLED GOODS FOR SPECIFIED PURPOSES. (CHAPTER 522)

H.B. 180, AN ACT TO AMEND THE DOLLAR AMOUNT FOR WHICH CERTAIN PROPERTY OFFENSES ARE DESIGNATED FELONIES RATHER THAN MISDEMEANORS AND TO MAKE CONFORMING CHANGES. (CHAPTER 523)

H.B. 240, AN ACT TO ALLOW AN EXTENSION OF TIME FOR THE TOWN OF GIBSONVILLE TO FILE AN APPLICATION FOR A SALES TAX REFUND. (CHAPTER 524)

H.B. 283, AN ACT TO AMEND THE LAW CONCERNING ASSAULTS ON GOVERNMENTAL OFFICERS AND EMPLOYEES AND TO MAKE IT A FELONY TO ASSAULT A GOVERNMENTAL OFFICER OR EMPLOYEE WITH A DEADLY WEAPON. (CHAPTER 525)

H.B. 290, AN ACT TO ALLOW NOTICE BY PUBLICATION OF HOUSING CODE ENFORCEMENT WHERE SERVICE BY CERTIFIED MAIL IS REFUSED. (CHAPTER 526)

H.B. 330, AN ACT TO AMEND THE DEFINITION OF MOTOR VEHICLE DEALER. (CHAPTER 527)

H.B. 400, AN ACT TO MAKE VARIOUS CHANGES IN THE BOARD OF MORTUARY SCIENCE PROCEDURES. (CHAPTER 528)

H.B. 493, AN ACT TO AUTHORIZE STATE ASSISTANCE AND INTERVENTION IN LOW PERFORMING SCHOOL UNITS. (CHAPTER 529)

H.B. 516, AN ACT REQUIRING TRAFFIC SIGNS AND OTHER TRAFFIC CONTROL DEVICES ON ALL HIGHWAYS AND PUBLIC VEHICULAR AREAS TO CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES. (CHAPTER 530)

H.B. 662, AN ACT TO CHANGE THE LAW PROVIDING FOR THE DISPOSITION BY LAUNDRIES AND DRY CLEANERS OF UNCLAIMED GARMENTS AND TO AMEND THE LAW REGARDING DISPOSAL OF UNCLAIMED PROPERTY BY SHERIFFS. (CHAPTER 531)

H.B. 763, AN ACT TO MAKE VARIOUS AMENDMENTS TO THE CITY OF DURHAM CHARTER. (CHAPTER 532)

H.B. 794, AN ACT TO ALLOW SAMPSON AND RICHMOND COUNTIES TO ACQUIRE PROPERTY FOR USE BY THOSE COUNTY BOARDS OF EDUCATION. (CHAPTER 533)

H.B. 838, AN ACT TO MAKE THE DESTRUCTION OF ANY LAWFULLY GROWN CROP, PASTURE, OR PROVENDER A CRIMINAL OFFENSE. (CHAPTER 534)

H.B. 1044, AN ACT TO ALLOW THE HOUSING OF SAFEKEEPERS IN THE SAME INPATIENT MEDICAL AND MENTAL HEALTH FACILITIES WITH CONVICTED PRISONERS. (CHAPTER 535)

H.B. 1111, AN ACT TO REQUIRE PERSONS WHO ACCEPT USED GOODS ON CONSIGNMENT TO KEEP RECORDS OF THE CONSIGNED GOODS. (CHAPTER 536)

H.B. 1131, AN ACT TO PROVIDE THAT DEMOLITION ASPHALT MAY BE USED AS FILL. (CHAPTER 537)

H.B. 1222, AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE CLEANUP OF LEAKING PETROLEUM UNDERGROUND STORAGE TANKS, TO INCREASE THE PER GALLON FUEL EXCISE TAX, AND TO DEDICATE THE PROCEEDS OF THE TAX INCREASE TO THE CLEANUP OF LEAKING PETROLEUM UNDERGROUND STORAGE TANKS. (CHAPTER 538)

H.B. 1224, AN ACT TO PROVIDE AN INCENTIVE FOR THE USE OF RECYCLED NEWSPRINT BY REQUIRING PUBLISHERS WHO DO NOT USE A MINIMUM AMOUNT OF RECYCLED NEWSPRINT TO PAY A TAX ON NONRECYCLED NEWSPRINT. (CHAPTER 539)

S.J.R. 962, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ANGELINE DAVIS SMITH. (RESOLUTION 20)

CALENDAR (continued)

Committee Substitute for **S.B. 397**, A BILL TO BE ENTITLED AN ACT TO INCREASE AND MAKE UNIFORM THE FEES FOR COPYING A FILED DOCUMENT, COMPARING A COPY TO THE ORIGINAL FILED DOCUMENT, AND CERTIFYING A DOCU-

MENT UNDER THE BUSINESS CORPORATION ACT, THE NON-PROFIT CORPORATION ACT, AND THE REVISED UNIFORM LIMITED PARTNERSHIP ACT.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Flaherty, Fletcher, Foster, Gardner, Gottovi, Grady, Green, Greenwood, Hardaway, Hege, Howard, Huffman, Judy Hunt, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jordan, Kahl, Kerr, Kimsey, Ligon, Lilley, Loflin, Lutz, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Wainwright, Warner, Wicker, Wilmoth, Wilson, Wood, and Woodard - 82.

Voting in the negative: Representative Decker.

Excused absence: None.

House Committee Substitute for **S.B. 669, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A PORK PROMOTION ASSESSMENT**, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Gamble, Gardner, Gottovi, Grady, Green, Greenwood, Hackney, Hardaway, Hege, Hensley, Hightower, Holmes, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kerr, Kimsey, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Russell, Stewart, Tallent, Wainwright, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 96.

Voting in the negative: None.

Excused absence: None.

SUSPENSION OF RULES TO PLACE ON CALENDAR

On motion of Representative Jack Hunt, the rules are suspended and Senate Committee Substitute for **H.B. 918, A BILL TO BE**

ENTITLED AN ACT TO AMEND THE INSURANCE LAWS TO CLARIFY THE PERMISSIBLE ACTIVITIES OF INSURANCE AGENCY OFFICE EMPLOYEES, AND TO PROVIDE FOR TRANSFER BY DESIGNATED AGENTS UNDER THE REINSURANCE FACILITY OF THEIR DESIGNATIONS, is withdrawn from the Committee on Rules, Appointments and Calendar and placed on today's Calendar.

CALENDAR (continued)

S.B. 809, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FISHERIES LICENSES BE ISSUED ON A FISCAL YEAR BASIS, INCREASE THE FEE FOR A LICENSE, AND PROVIDE THAT LICENSE AGENTS BE BONDED, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gardner, Gist, Gottovi, Grady, Green, Greenwood, Hackney, Hardaway, Hege, Hensley, Hightower, Howard, Huffman, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Kimsey, Ligon, Lilley, Lineberry, Loflin, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Wainwright, Warner, Wilmoth, Wilson, Wood, and Woodard - 94.

Voting in the negative: None.

Excused absence: None.

House Committee Substitute for **S.B. 531**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE EASTERN BAND OF CHEROKEE INDIANS SHALL BE ELIGIBLE TO: (1) BE A MEMBER OF A REGIONAL SOLID WASTE MANAGEMENT AUTHORITY, AND (2) APPLY FOR FINANCING A PROJECT WITH A LOAN FROM THE NORTH CAROLINA SOLID WASTE MANAGEMENT CAPITAL PROJECTS FINANCING AUTHORITY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Green, Greenwood, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, Hurley,

Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kimsey, Ligon, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Pope, Privette, Ramsey, Rhodes, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Withrow, Wood, and Woodard - 99.

Voting in the negative: None.

Excused absence: None.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Fletcher for the Permanent Subcommittee on Financial Institutions of the Standing Committee on Commerce, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 580, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BANKING COMMISSION TO DEVELOP A PLAN TO PROVIDE, AS A SERVICE TO THE GENERAL PUBLIC, INFORMATION ON THE FINANCIAL SOUNDNESS OF BANKS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Appointments and Calendar.

The committee substitute bill is re-referred to the Committee on Rules, Appointments and Calendar. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

Committee Substitute for **H.B. 564**, A BILL TO BE ENTITLED AN ACT TO REGULATE THE PRACTICE OF DIETETICS/NUTRITION.

On motion of Representative Barnhill, Committee Amendment No. 1 is adopted.

Representative Gamble offers Amendment No. 2.

REPRESENTATIVE COLTON, SPEAKER PRO TEMPORE, PRESIDING.

Representative Gamble withdraws Amendment No. 2.

Representative Hackney offers Amendment No. 3 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin,

Church, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dockham, Easterling, Esposito, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Gray, Green, Grimmer, Hackney, Hardaway, Hasty, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, R. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jordan, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Privette, Ramsey, Redwine, Rhyne, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Wood, and Woodard - 91.

Voting in the negative: Representatives Grady, Hege, and Withrow - 3.

Excused absence: None.

Senate Committee Substitute for H.B. 918, A BILL TO BE ENTITLED AN ACT TO AMEND THE INSURANCE LAWS TO CLARIFY THE PERMISSIBLE ACTIVITIES OF INSURANCE AGENCY OFFICE EMPLOYEES, AND TO PROVIDE FOR TRANSFER BY DESIGNATED AGENTS UNDER THE REINSURANCE FACILITY OF THEIR DESIGNATIONS.

On motion of Representative Beard, the House concurs in the Senate committee substitute, by electronic vote (96-0), and the bill is ordered enrolled.

House Committee Substitute for S.B. 742, A BILL TO BE ENTITLED AN ACT TO AMEND THE REGULATION OF MEDICAL DEVICES BY THE STATE BOARD OF PHARMACY, passes its second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for S.B. 817, A BILL TO BE ENTITLED AN ACT TO PROTECT BONA FIDE PURCHASERS FOR VALUE OF REAL PROPERTY AGAINST JUDGMENTS FOR WHICH THE STATUTE OF LIMITATIONS IS SUSPENDED FOR THE PERIOD OF EXEMPTION BY REQUIRING THE ORDER DESIGNATING EXEMPT PROPERTY TO BE FILED IN THE REGISTER OF DEEDS OFFICE.

Representative R. Hunter offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for S.B. 34, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE USE OF THE RULE OF 78s

AS IT PERTAINS TO INSTALLMENT LOANS SECURED BY REAL PROPERTY OR MOBILE HOMES.

Representative Hasty offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (84-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

S.B. 281, A BILL TO BE ENTITLED AN ACT TO PROVIDE REVIEW OFFICERS WITH SUBPOENA POWER, passes its second reading, by electronic vote (77-1), and there being no objection is read a third time.

The bill passes its third reading, by electronic vote (82-0), and is ordered enrolled.

S.B. 380, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW RELATING TO CHILD SUPPORT PAYORS' NOTICE AND RESPONSIBILITIES, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representatives Jeralds for the Committee on Human Resources:

H.B. 880, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MANDATORY CERTIFICATION OF CLINICAL SOCIAL WORKERS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 58, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE QUALIFIED DENTISTS TO ADMINISTER GENERAL ANESTHESIA**, with a favorable report, as amended.

SPEAKER BLUE PRESIDING.

CALENDAR (continued)

S.B. 131, A BILL TO BE ENTITLED AN ACT TO ALLOW THE FILING OF AN AFFIDAVIT BY THE SECRETARY OF TRANSPORTATION OR BY AN OFFICER OF THE RAILROAD TO STATE AN INTENTION TO PRESERVE A RAILROAD EASEMENT FOR FUTURE TRANSPORTATION PURPOSES AND NEGATE THE PRESUMPTION OF ABANDONMENT.

On motion of Representative Stamey, consideration of the bill is postponed until July 9.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

Senate Committee Substitute for **H.B. 124**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES PREPARE A WATER RESOURCES DEVELOPMENT PROJECTS PLAN AND TO PROVIDE THAT THE DIRECTOR OF THE BUDGET REVIEW THE PLAN AND ADOPT A WATER RESOURCES DEVELOPMENT PROGRAM, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 4.

Senate Committee Substitute for **H.B. 134**, A BILL TO BE ENTITLED AN ACT AUTHORIZING COUNTIES AND CITIES TO ENACT ORDINANCES REQUIRING PRIVATE RECYCLERS TO REPORT ON THE RECYCLABLE MATERIALS SUBJECT TO THE GOAL SET FORTH IN G.S. 130A-309.04 THAT THE RECYCLER IS RECOVERING WITHIN THE COUNTY OR CITY, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 4.

Committee Substitute No. 2 for **H.B. 165**, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE MAINTENANCE OF AFFORDABLE HOUSING STOCK, is returned for concurrence in Senate amendment and placed on the Calendar for July 4.

H.B. 233, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE STANLY COUNTY AIRPORT AUTHORITY, is returned for concurrence in Senate amendment and placed on the Calendar for July 4.

Committee Substitute for **H.B. 433**, A BILL TO BE ENTITLED AN ACT TO REGULATE MULTIPLE EMPLOYER WELFARE ARRANGEMENTS THAT ARE NOT SUBJECT TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT, is returned for concurrence in Senate amendment and placed on the Calendar for July 4.

Committee Substitute for **H.B. 464**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FEES PAYABLE BY SEED GROWERS AND DEALERS, TO AUTHORIZE THE BOARD OF AGRICULTURE TO ISSUE A STOP-SALE ORDER WHEN A DEALER OR GROWER FAILS TO PAY THE SEED FEE, AND TO ELIMINATE THE REQUIREMENT THAT A SEED DEALER OR GROWER FURNISH A BOND, is returned for concurrence in Senate amendment and placed on the Calendar for July 4.

Senate Committee Substitute for **H.B. 501**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PUBLIC ENTERPRISE LAW WITH RESPECT TO STORMWATER UTILITIES ESTABLISHED BY CITIES AND COUNTIES AND TO GIVE WATER AND SEWER AUTHORITIES THE ABILITY TO OPERATE AND FINANCE STORMWATER UTILITIES, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 4.

Senate Committee Substitute for H.B. 551, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE REQUIREMENTS OF THE 1990 AMENDMENTS TO THE FEDERAL CLEAN AIR ACT, is returned for concurrence in Senate committee substitute.

On motion of Representative DeVane, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative DeVane, the House concurs in the Senate committee substitute, by electronic vote (90-0), and the bill is ordered enrolled.

Senate Committee Substitute for H.B. 597, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BUREAU OF INVESTIGATION TO FORM A TASK FORCE TO INVESTIGATE ALL CASES OF SUBSTANTIATED CHILD SEXUAL ABUSE IN DAY CARE, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 4.

Senate Committee Substitute for H.B. 641, A BILL TO BE ENTITLED AN ACT TO EXEMPT UNION COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE CONSTRUCTION OF A COUNTY DETENTION FACILITY, is returned for concurrence in Senate committee substitute, which changes the title, and referred to the Committee on Rules, Appointments and Calendar.

Senate Committee Substitute for H.B. 684, A BILL TO BE ENTITLED AN ACT ALLOWING JOHNSTON COUNTY IN ARRIVING AT THE AMOUNT OF CONSIDERATION FOR AN ECONOMIC DEVELOPMENT CONVEYANCE TO TAKE INTO ACCOUNT PROSPECTIVE REVENUES GENERATED BY THE DEVELOPMENT, is returned for concurrence in Senate committee substitute, which changes the title, and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for H.B. 1039, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE CONSTRUCTION OF FACILITIES IN AND THE EXTENSION OF NATURAL GAS SERVICE TO UNSERVED AREAS AND TO REVISE THE PROCEDURES FOR GAS COST ADJUSTMENTS FOR NATURAL GAS LOCAL DISTRIBUTION COMPANIES, is returned for concurrence in two Senate amendments and placed on the Calendar for July 4.

Committee Substitute for S.B. 182, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE JUVENILE STUDY COMMISSION TO ELIMINATE APPEALS TO SUPERIOR COURT UNDER THE PARENTAL CONTROL ACT AND TO FACILITATE PRO SE REPRESENTATION BY PARENTS, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for S.B. 250, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE COMPOSITION OF THE STATE BOARD OF EDUCATION, TO MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION AN APPOINTEE OF THE STATE BOARD OF EDUCATION, AND TO

MAKE CORRESPONDING STATUTORY CHANGES, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 338, A BILL TO BE ENTITLED AN ACT TO RAISE MISCELLANEOUS FEES COLLECTED BY THE DEPARTMENT OF INSURANCE, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 370, A BILL TO BE ENTITLED AN ACT TO CHANGE THE SALES TAX TREATMENT OF USED ITEMS TRADED IN AS PARTIAL PAYMENT FOR A NEW ITEM, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 402, A BILL TO BE ENTITLED AN ACT GIVING STUDENTS AT THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA ACCESS TO THE STATE TELEPHONE NETWORK AND TO CLARIFY THE AUTHORITY OF STATE EDUCATIONAL INSTITUTIONS TO PROVIDE CERTAIN TELEPHONE SERVICES,** is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 694, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MANDATORY CERTIFICATION OF CLINICAL SOCIAL WORKERS,** is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 935, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MARRIAGE LICENSE FEE AND TO CREATE THE DOMESTIC VIOLENCE CENTER FUND,** is read the first time and referred to the Committee on Finance.

S.B. 963, A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATE SALES TAX BY ONE CENT, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

CALENDAR (continued)

H.J.R. 1305, A JOINT RESOLUTION HONORING THE MEMORY OF THE EARLY SCOTTISH SETTLERS OF NORTH CAROLINA WHO HAVE MADE SIGNIFICANT CONTRIBUTIONS TO THE GROWTH OF THIS STATE AND COUNTRY ON THE OCCASION OF THE 1991 GRANDFATHER MOUNTAIN HIGHLAND GAMES, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Michaux for the Committee on Courts, Justice, Constitutional Amendments and Referenda:

S.B. 244, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM IN NOVEMBER 1992 TO AMEND THE

CONSTITUTION TO PROVIDE FOR A GUBERNATORIAL VETO REQUIRING A THREE-FIFTHS VOTE TO OVERRIDE, with an unfavorable report with Minority Report attached.

Representative Pope moves the adoption of the following Minority Report.

MINORITY REPORT

Pursuant to House Rule 36(e) the undersigned, being at least one-fourth (1/4) of the members of the standing committee present and voting when the bill was considered, submit this Minority Report for Senate Bill 244.

This 2nd day of July, 1991.

S/ Art Pope
S/ Billy Creech
S/ Bill Lewis
S/ David T. Flaherty, Jr.
S/ Larry T. Justus
S/ Michael P. Decker

Representative Michaux calls the previous question on the motion to adopt the Minority Report.

Representative Pope moves that the call for the previous question be postponed indefinitely.

Representative Pope withdraws the motion to postpone indefinitely the call for the previous question.

The question before the House is the call for the previous question on the adoption of the Minority Report and the call is sustained.

The Minority Report fails of adoption by electronic vote (43-71).

On motion of the Chair, the House recesses at 4:35 p.m.

RECESS

The House meets at 6:07 p.m. pursuant to recess and is called to order by Speaker Blue.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 3, 1991

Mr. Speaker:

Pursuant to your message received July 2 that the House of Representatives fails to concur in Senate Amendment to H.B. 281, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ACQUIRE PROPERTY FOR NEW RAILROAD CORRIDORS AND TO ENTER INSTALLMENT CONTRACTS FOR THE PURCHASE OF RAILROAD CORRIDORS AND OTHER RAIL PROPERTY, and requests conferees. The

President Pro Tempore appoints: Senator Goldston, Chairman; Senators Plyler and Block on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 3, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in House Committee Substitute for S.B. 778, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING THE EXECUTION OF CORPORATE INSTRUMENTS, and requests conferees. The President Pro Tempore appoints: Senator Cooper, Chairman; Senators Soles and Johnson on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 3, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives respectfully requesting the return of Senate Committee Substitute for H.B. 641, A BILL TO BE ENTITLED AN ACT TO RAISE THE LEVEL OF EXPENDITURE ON PUBLIC BUILDING PROJECTS ON WHICH INFORMAL COMPETITIVE BID PROCEDURES MAY BE USED, TO EXEMPT ALAMANCE COUNTY FROM CERTAIN PUBLIC CONTRACTING REQUIREMENTS INCLUDING THE INFORMAL COMPETITIVE BID PROCEDURES FOR THE PURPOSE OF REPAIRING THE ALAMANCE COUNTY COURTHOUSE, AND TO SUBJECT THAT PROJECT TO THE TAX RATE LIMITATION OF G.S. 153A-149(c), for further consideration by the Senate.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

RETURN BILL TO SENATE

On motion of Representative Holt, the rules are suspended and H.B. 641, A BILL TO BE ENTITLED AN ACT TO RAISE THE LEVEL

OF EXPENDITURE ON PUBLIC BUILDING PROJECTS ON WHICH INFORMAL COMPETITIVE BID PROCEDURES MAY BE USED, TO EXEMPT ALAMANCE COUNTY FROM CERTAIN PUBLIC CONTRACTING REQUIREMENTS INCLUDING THE INFORMAL COMPETITIVE BID PROCEDURES FOR THE PURPOSE OF REPAIRING THE ALAMANCE COUNTY COURTHOUSE, AND TO SUBJECT THAT PROJECT TO THE TAX RATE LIMITATION OF G.S. 153A-149(c), is withdrawn from the Committee on Rules, Appointments and Calendar and returned to the Senate for further consideration.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

Senate Committee Substitute for **H.B. 809**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE SEVEN LAKES COMMUNITY IN MOORE COUNTY, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 4.

H.B. 182, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE NORTH CAROLINA HOUSING FINANCE AGENCY TO EXPAND ITS USE OF THE MULTIFAMILY RENTAL ASSISTANCE FUND TO AID IN THE PREVENTION OF HOMELESSNESS, is returned for concurrence in Senate amendment and placed on the Calendar for July 4.

H.B. 367, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PAYMENT OF PENALTIES FOR LATE PAYMENT OF CONTRIBUTIONS BY EMPLOYERS PARTICIPATING IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, is returned for concurrence in Senate amendment and placed on the Calendar for July 4.

Committee Substitute for **H.B. 370**, A BILL TO BE ENTITLED AN ACT SPECIFYING PROCEDURES FOR FILING OF ANNEXATION DOCUMENTS WITH THE SECRETARY OF STATE, is returned for concurrence in two Senate amendments and placed on the Calendar for July 4.

Senate Committee Substitute for **H.B. 419**, A BILL TO BE ENTITLED AN ACT RELATING TO REVIVAL OF WILL PROVISIONS REVOKED BY DIVORCE, ANNULMENT, OR EXECUTION OF A NEW WILL AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 4.

Committee Substitute for **S.B. 433**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CHATHAM, NASH, PITT, SWAIN, GRAHAM, AND CLAY COUNTIES TO IMPOSE AN AVAILABILITY FEE FOR SOLID WASTE DISPOSAL FACILITIES AND TO BILL AND COLLECT THE FEE IN THE SAME MANNER AS

PROPERTY TAXES AND TO AUTHORIZE CASWELL COUNTY TO HOLD A REFERENDUM ON LONG-TERM SOLID WASTE OPTIONS, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 732**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE PROJECT GENESIS PROGRAM, AN EXPERIMENT WITH A RESTRUCTURED SCHOOL APPROACH FOR THE PUBLIC SCHOOLS, is read the first time and referred to the Committee on Education.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Fletcher for the Permanent Subcommittee on Financial Institutions of the Standing Committee on Commerce, with approval of standing committee chairman for report to be made directly to the floor of the House:

H.B. 55, A BILL TO BE ENTITLED AN ACT TO AMEND REGULATIONS PERTAINING TO MORTGAGE BANKERS AND BROKERS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 91**, A BILL TO BE ENTITLED AN ACT TO CREATE A SAVINGS BANK CHARTER IN NORTH CAROLINA, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

S.B. 642, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL ISSUE RULES GOVERNING THE ISSUANCE OF SPECIAL PERMITS FOR VEHICLES OF EXCESSIVE SIZE, WEIGHT, OR NUMBER OF UNITS.

Representative McLaughlin offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

S.B. 257, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HUMAN RESOURCES TO ISSUE PROVISIONAL LICENSES FOR DOMICILIARY HOMES AND TO ESTABLISH CERTAIN APPEALS TIME LIMITS.

On motion of Representative Jeralds, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (95-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

S.B. 670, A BILL TO BE ENTITLED AN ACT AUTHORIZING WILDLIFE PROTECTORS TO ASSIST IN THE ENFORCEMENT OF LAWS WHEN A CRIME HAS BEEN COMMITTED IN THEIR PRESENCE OR WHEN A STATE OR LOCAL LAW ENFORCEMENT OFFICER HAS REQUESTED THEIR ASSISTANCE.

Representative Bowman offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (76-21).

Representatives Michaux, Jack Hunt, and Dawkins object to the third reading. The bill remains on the Calendar.

CONFERENCE REPORT

Representative J. W. Crawford sends forth the following Conference Report and moves its adoption.

S.B. 802

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on S.B. 802, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE POLICY REGARDING WATER WITHDRAWALS AND TO PROVIDE REMEDIES FOR WATER WITHDRAWALS WHICH ARE CONTRARY TO PUBLIC POLICY, House Committee Substitute Favorable 6/19/91, wish to report as follows:

The Senate concurs in the House Committee Substitute, Third Edition Engrossed, with an amendment as follows:

on page 1, lines 21 and 22, by deleting the sentence that begins with the words "*Flow speed*" and ends with the words "*flow data.*".

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 3rd day of July, 1991.

*Conferees for the
Senate*

S/ Roy A. Cooper, III
S/ T. LaFontine Odom
S/ Lura Tally

*Conferees for the
House of Representatives*

S/ J. W. Crawford
S/ John T. Church
S/ Thomas C. Hardaway

The Conference Report is adopted, by electronic vote (98-0), and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

Committee Substitute for S.B. 17, A BILL TO BE ENTITLED AN ACT TO ESTABLISH SENATORIAL DISTRICTS AND TO APPORTION SEATS IN THE SENATE AMONG DISTRICTS, is read the first time and referred to the Committee on Legislative and Local Redistricting.

On motion of Representative Jack Hunt, seconded by Representative Judy Hunt, the House adjourns at 6:50 p.m. to reconvene July 4 at 9:00 a.m.

NINETY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Thursday, July 4, 1991

The House meets at 9:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of July 3 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Beard, Brubaker, Cunningham, James, Justus, and Rhodes for today.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representatives Fitch and Sam Hunt:

H.B. 1309, A BILL TO BE ENTITLED AN ACT TO IMPROVE ELECTION ADMINISTRATION BY ALLOWING CHANGES IN SUPERIOR COURT JUDICIAL DISTRICT BOUNDARIES TO REFLECT CHANGES IN PRECINCT BOUNDARIES SINCE ENACTMENT OF THE PLAN, is referred to the Committee on Legislative and Local Redistricting.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 4, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on House Committee Substitute for S.B. 802, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE POLICY REGARDING WATER WITHDRAWALS AND TO PROVIDE REMEDIES FOR WATER WITHDRAWALS WHICH ARE CONTRARY TO PUBLIC POLICY.

Pursuant to the message that your Honorable Body has adopted the report of the conferees, the President has ordered the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

Senate Committee Substitute for H.B. 413, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM CIVIL PENALTY WHICH MAY BE ASSESSED FOR VIOLATIONS OF AIR QUALITY STANDARDS OR LIMITATIONS AND TO CORRECT A CROSS-REFERENCE, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 8.

Senate Committee Substitute for H.B. 544, A BILL TO BE ENTITLED AN ACT CREATING A CIVIL PENALTY FOR BUYING OR SELLING NON-TAX-PAID FUEL, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 8.

Senate Committee Substitute for H.B. 701, A BILL TO BE ENTITLED AN ACT TO ELIMINATE LEGISLATIVE APPOINTMENTS TO THE BOARD OF EDUCATION FOR THE PUBLIC SCHOOLS OF ROBESON COUNTY, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 8.

Senate Committee Substitute for H.B. 738, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO WITHHOLD FUTURE APPROVALS FROM A PERSON WITH OUTSTANDING ZONING AND SUBDIVISION ORDINANCE VIOLATIONS, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 8.

Senate Committee Substitute for H.B. 740, A BILL TO BE ENTITLED AN ACT RELATING TO ELIGIBILITY TO SERVE ON A

COMMUNITY COLLEGE BOARD OF TRUSTEES, is returned for concurrence in Senate committee substitute, which changes the title, and changes the bill from public bill to local bill, and placed on the Calendar for July 8.

Committee Substitute for **H.B. 904**, A BILL TO BE ENTITLED AN ACT TO REGULATE THE SALE OF MOTOR VEHICLES BY MOTOR VEHICLE DEALERS, is returned for concurrence in Senate amendment and placed on the Calendar for July 8.

H.B. 933, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SALES TAX EXEMPTION FOR PRISON CONCESSION SALES, is returned for concurrence in Senate amendment and placed on the Calendar for July 8.

Senate Committee Substitute for **H.B. 1027**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PAYMENT OF A CONTRACTOR OR SUBCONTRACTOR IS NOT A CONDITION PRECEDENT FOR PAYMENT TO ANY SUBCONTRACTOR, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 8.

Committee Substitute No. 2 for **S.B. 432**, A BILL TO BE ENTITLED AN ACT TO CREATE THE SPECIAL INDUSTRIAL COMMISSION FUND FOR THE OPERATION OF THE INDUSTRIAL COMMISSION AND TO DIRECT THAT A PORTION OF THE TAX PAID ON WORKERS' COMPENSATION PREMIUMS BE PAID TO THIS FUND, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 812**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE PROCUREMENT POLICY WHICH ENCOURAGES THE PURCHASE OF PRODUCTS MADE FROM RECYCLED MATERIALS, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Gist for the Committee on Local and Regional Government I:

Committee Substitute No. 2 for **S.B. 565**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE POPLAR TENT BEAUTIFICATION DISTRICT IN CABARRUS COUNTY, TO PROVIDE FOR LAND USE PLANNING IN THE DISTRICT, AND TO MAKE SEVERAL LOCAL MODIFICATIONS APPLICABLE WITHIN CABARRUS COUNTY, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Gist, Committee Amendment No. 1 is adopted.

Committee Substitute Bill No. 2, as amended, is re-referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

H.B. 790, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE TOWN OF FAISON FROM CERTAIN NOTICE REQUIREMENTS AND TO EXTEND THE TOWN OF FAISON'S EXTRATERRITORIAL JURISDICTION.

On motion of Representative Albertson, the House concurs in the Senate amendment and the bill is ordered enrolled.

H.B. 233, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE STANLY COUNTY AIRPORT AUTHORITY.

On motion of Representative Barbee, the House concurs in the Senate amendment and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 809, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE SEVEN LAKES COMMUNITY IN MOORE COUNTY.**

On motion of Representative Morgan, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

CONFEREES ANNOUNCED

The Chair announces the appointment of Representatives Kerr, Jordan, and Hensley as conferees on **S.B. 778, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING THE EXECUTION OF CORPORATE INSTRUMENTS**, and the Senate is so notified by Special Message.

CALENDAR (continued)

Committee Substitute for **H.B. 308, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL GOVERNMENTAL UNITS TO CONTRACT WITH FINANCIAL INSTITUTIONS FOR RECEIPT OF PAYMENTS OF DELINQUENT PROPERTY TAXES AND INTEREST.**

The House concurs in the material Senate amendment on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnhill, Beall, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Dawkins, Decker, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hege, Hightower, Holmes, Howard, Huffman, Jack Hunt, Judy Hunt, H. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Lewis, Ligon, Lineberry, Loflin, Lutz, McAllister,

McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Privette, Ramsey, Redwine, Robinson, Rogers, Smith, Stewart, Tallent, Thompson, Warner, Wilmoth, Wilson, Withrow, and Woodard - 83.

Voting in the negative: Representatives Rhyne and Wood - 2.

Excused absences: Representatives Beard, Brubaker, Cunningham, James, Justus, and Rhodes - 6.

Senate Committee Substitute for House Committee Substitute for **H.B. 1107, A BILL TO BE ENTITLED AN ACT TO ALLOW PETS IN HOTEL ROOMS AT THE INNKEEPER'S PREROGATIVE.**

On motion of Representative Gottovi, consideration of the bill is postponed until July 9.

Senate Committee Substitute for **H.B. 482, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAWS ON THIRD PARTY ADMINISTRATORS.**

On motion of Representative Jeralds, consideration of the bill is postponed until July 9.

Senate Committee Substitute for **H.B. 124, A BILL TO BE ENTITLED AN ACT TO AMEND THE WATER SUPPLY WATERSHED PROTECTION STATUTES TO CLARIFY LOCAL AND STATE POWERS AND DUTIES.**

On motion of Representative Payne, the House concurs in the Senate committee substitute, by electronic vote (85-1), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 134, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE POWER OF REGIONAL SOLID WASTE MANAGEMENT AUTHORITIES TO REGULATE THE FLOW OF NONHAZARDOUS SOLID WASTE.**

On motion of Representative Grimmer, the House concurs in the Senate committee substitute, by electronic vote (86-0), and the bill is ordered enrolled.

Committee Substitute No. 2 for **H.B. 165, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE MAINTENANCE OF AFFORDABLE HOUSING STOCK.**

On motion of Representative Green, the House concurs in the Senate amendment, by electronic vote (78-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 464, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FEES PAYABLE BY SEED GROWERS AND DEALERS, TO AUTHORIZE THE BOARD OF AGRICULTURE TO ISSUE A STOP-SALE ORDER WHEN A DEALER OR GROWER FAILS TO PAY THE SEED FEE, AND TO ELIMINATE THE REQUIREMENT THAT A SEED DEALER OR GROWER FURNISH A BOND.**

On motion of Representative Mercer, the House concurs in the Senate amendment, by electronic vote (87-0), and the bill is ordered enrolled.

Senate Committee Substitute for H.B. 501, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PUBLIC ENTERPRISE LAW WITH RESPECT TO STORMWATER UTILITIES ESTABLISHED BY CITIES AND COUNTIES AND TO GIVE WATER AND SEWER AUTHORITIES THE ABILITY TO OPERATE AND FINANCE STORMWATER UTILITIES.

On motion of Representative Hurley, the House concurs in the Senate committee substitute, by electronic vote (90-0), and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for H.B. 597, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE STATE BUREAU OF INVESTIGATION TO FORM A TASK FORCE TO INVESTIGATE ALL CASES OF SUBSTANTIATED CHILD SEXUAL ABUSE IN DAY CARE.

On motion of Representative Thompson, the House concurs in the Senate committee substitute, by electronic vote (87-0), and the bill is ordered enrolled.

Committee Substitute for H.B. 1039, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE CONSTRUCTION OF FACILITIES IN AND THE EXTENSION OF NATURAL GAS SERVICE TO UNSERVED AREAS AND TO REVISE THE PROCEDURES FOR GAS COST ADJUSTMENTS FOR NATURAL GAS LOCAL DISTRIBUTION COMPANIES.

On motion of Representative Kerr, the House concurs in Senate Amendment No. 1 by electronic vote (85-0).

On motion of Representative Kerr, the House concurs in Senate Amendment No. 2, by electronic vote (92-2), and the bill is ordered enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 281, AN ACT TO PROVIDE REVIEW OFFICERS WITH SUBPOENA POWER. (CHAPTER 540)

S.B. 380, AN ACT TO CLARIFY THE LAW RELATING TO CHILD SUPPORT PAYORS' NOTICE AND RESPONSIBILITIES. (CHAPTER 541)

S.B. 458, AN ACT MAKING TECHNICAL CHANGES TO THE LAWS ADMINISTERED BY THE OFFICE OF THE STATE CONTROLLER, TO REPEAL OBSOLETE LAWS, AND TO REENACT AN INADVERTENTLY REPEALED PREVIOUS LAW. (CHAPTER 542)

S.B. 473, AN ACT TO REPEAL G.S. 47-8, TO PROTECT THE EFFICACY OF CERTAIN JUDGMENTS ENTERED IN RELIANCE UPON DOCUMENTS NOTARIZED BY ATTORNEYS AND TO VALIDATE CERTAIN ACTS OF NOTARIES PUBLIC. (CHAPTER 543)

S.B. 771, AN ACT TO AMEND THE LAW REGARDING MENTAL HEALTH CLIENTS' RECORDS. (CHAPTER 544)

S.B. 809, AN ACT TO PROVIDE THAT FISHERIES LICENSES BE ISSUED ON A FISCAL YEAR BASIS, INCREASE THE FEE FOR A LICENSE, AND PROVIDE THAT LICENSE AGENTS BE BONDED. (CHAPTER 545)

H.B. 22, AN ACT TO REGULATE REVERSE MORTGAGES. (CHAPTER 546)

H.B. 37, AN ACT TO ESTABLISH A HOMEOWNERS RECOVERY FUND UNDER THE SUPERVISION OF THE GENERAL CONTRACTORS LICENSING BOARD. (CHAPTER 547)

H.B. 183, AN ACT TO REQUIRE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO CONDUCT VARIOUS HEALTH-RELATED PROJECTS. (CHAPTER 548)

H.B. 307, AN ACT TO AMEND THE LAW REGARDING SCHOLARSHIPS FOR CHILDREN OF WAR VETERANS TO INCLUDE CHILDREN OF PERSIAN GULF VETERANS AND TO MAKE TECHNICAL CHANGES. (CHAPTER 549)

H.B. 314, AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF PROGRAMS TO ADDRESS THE NURSING SHORTAGE IN NORTH CAROLINA. (CHAPTER 550)

H.B. 512, AN ACT TO RATIFY THE PROCEDURE FOR APPOINTING THE MEMBERS OF THE SEDIMENTATION CONTROL COMMISSION IN ACCORDANCE WITH AN OPINION OF THE ATTORNEY GENERAL DATED 10 JULY 1974 AND TO ADD AN ADDITIONAL MEMBER TO THE COMMISSION. (CHAPTER 551)

H.B. 551, AN ACT TO IMPLEMENT THE REQUIREMENTS OF THE 1990 AMENDMENTS TO THE FEDERAL CLEAN AIR ACT. (CHAPTER 552)

H.B. 574, AN ACT TO INCORPORATE THE TOWN OF FOSCOE. (CHAPTER 553)

H.B. 621, AN ACT TO MODIFY THE REQUIREMENTS FOR CONTINUING EDUCATION OF INSURANCE LICENSEES. (CHAPTER 554)

H.B. 726, AN ACT TO MODIFY THE CONDITIONS ON USE OF PROCEEDS OF A GOLDSBORO OCCUPANCY TAX AND TO RAISE THE FORCE ACCOUNT CONSTRUCTION LIMIT FOR

CERTAIN STORM DRAINAGE PROJECTS IN GOLDSBORO. (CHAPTER 555)

H.B. 756, AN ACT TO EXTEND THE CORPORATE LIMITS OF THE CITY OF DUNN. (CHAPTER 556)

H.B. 789, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF GASTONIA. (CHAPTER 557)

H.B. 796, AN ACT TO EXTEND TO PENDER AND SAMPSON COUNTIES LAWS THAT REQUIRE VACANCIES IN THE OFFICES OF SHERIFF AND COUNTY COMMISSIONERS TO BE FILLED WITH THE NOMINEE OF THE POLITICAL PARTY EXECUTIVE COMMITTEE OF THE VACATING MEMBER. (CHAPTER 558)

H.B. 802, AN ACT TO ENABLE THE TOWN OF LAUREL PARK TO ASSESS BENEFITED PROPERTY OWNERS FOR STREET AND SIDEWALK IMPROVEMENTS. (CHAPTER 559)

H.B. 824, AN ACT TO MAKE AMENDMENTS TO THE DURHAM CITY CHARTER RELATING TO THE TRANSPORTATION AUTHORITY. (CHAPTER 560)

H.B. 895, AN ACT TO ESTABLISH RETAIL PRICE TO BE PAID FOR WARRANTY WORK PERFORMED BY MOTOR VEHICLE DEALERS. (CHAPTER 561)

H.B. 918, AN ACT TO AMEND THE INSURANCE LAWS TO CLARIFY THE PERMISSIBLE ACTIVITIES OF INSURANCE AGENCY OFFICE EMPLOYEES, AND TO PROVIDE FOR TRANSFER BY DESIGNATED AGENTS UNDER THE REINSURANCE FACILITY OF THEIR DESIGNATIONS. (CHAPTER 562)

H.B. 944, AN ACT TO AMEND G.S. 1-288 REGARDING THE TIME FOR TAKING APPEAL IN FORMA PAUPERIS IN ORDER TO CONFORM THIS STATUTE TO THE RULES OF APPELLATE PROCEDURE. (CHAPTER 563)

H.B. 953, AN ACT TO EXEMPT AREA MENTAL HEALTH AUTHORITIES FROM CERTAIN PROVISIONS OF THE STATE PERSONNEL ACT. (CHAPTER 564)

H.B. 989, AN ACT TO PROVIDE A SEPARATE ABC PERMIT FOR HOTELS CHOOSING TO OFFER ALCOHOLIC BEVERAGE SALES FROM LOCKED CABINETS IN GUEST ROOMS. (CHAPTER 565)

S.B. 465, AN ACT TO TRANSFER THE COMMUNITY PENALTIES PROGRAM FROM THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO THE ADMINISTRATIVE OFFICE OF THE COURTS. (CHAPTER 566)

S.B. 802, AN ACT TO CLARIFY THE STATE POLICY REGARDING WATER WITHDRAWALS AND TO PROVIDE REMEDIES FOR WATER WITHDRAWALS WHICH ARE CONTRARY TO PUBLIC POLICY. (CHAPTER 567)

H.B. 395, AN ACT TO ALLOW SUMMARY JUDGMENT FOR ABSOLUTE DIVORCE IN CERTAIN CIRCUMSTANCES. (CHAPTER 568)

H.B. 396, AN ACT TO REMOVE OBSOLETE LANGUAGE FROM CHAPTER 50 OF THE GENERAL STATUTES AND TO MOVE CLARIFYING PROVISIONS TO A MORE APPROPRIATE PLACE IN CHAPTER 50. (CHAPTER 569)

H.B. 754, AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP EQUIPMENT STANDARDS FOR VOCATIONAL EDUCATION PROGRAMS. (CHAPTER 570)

H.J.R. 1291, A JOINT RESOLUTION HONORING THE MEMORY OF ROBERT S. SWAIN AND URGING THE RENAMING OF THE MCLEOD CENTER RESIDENTIAL TREATMENT CENTER AS THE ROBERT S. SWAIN RESIDENTIAL TREATMENT CENTER. (RESOLUTION 21)

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

S.B. 965, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1991, is read the first time.

On motion of Representative Diamont, the rules are suspended and the bill is placed before the House for immediate consideration.

Representative Nesbitt offers an amendment which is adopted.

The bill, as amended, passes its second reading, by electronic vote (100-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is returned to the Senate for concurrence in House amendment by Special Message.

Senate Committee Substitute for **H.B. 190, A BILL TO BE ENTITLED AN ACT ALLOWING JUDGMENT FOR EQUITABLE DISTRIBUTION TO BE ENTERED PRIOR TO ENTRY OF DIVORCE DECREE IN CERTAIN CASES**, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 8.

Senate Committee Substitute for **H.B. 332, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW REGARDING THE GOVERNOR'S APPOINTMENTS TO THE GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES TO FEDERAL LAW**, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 8.

H.B. 398, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE JUDGES TO MAKE INTERIM ALLOCATIONS OF ASSETS PENDING A FINAL EQUITABLE DISTRIBUTION JUDGMENT, is returned for concurrence in Senate amendment and placed on the Calendar for July 8.

H.B. 417, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN ACTION UNDER THE CHAPTER OF LAW CONCERNING DIVORCE AND ALIMONY TO PROTECT THE PROPERTY OF AN INCOMPETENT SPOUSE BUT TO PREVENT THE ENTRY OF A DIVORCE DECREE ON BEHALF OF THE INCOMPETENT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is returned for concurrence in Senate amendment and placed on the Calendar for July 8.

Senate Committee Substitute for **H.B. 498**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE QUALIFICATIONS FOR THE POSITION OF LOCAL HEALTH DIRECTOR, AND TO ESTABLISH A HEALTH DIRECTOR QUALIFICATION REVIEW COMMITTEE, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 8.

Senate Committee Substitute for **H.B. 611**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE OF THE NONPARTISAN AVERY COUNTY SCHOOL BOARD ELECTION FROM MAY TO NOVEMBER, is returned for concurrence in Senate committee substitute, which changes the title, and referred to the Committee on Legislative and Local Redistricting.

Senate Committee Substitute for **H.B. 821**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE NATURAL DEATH ACT TO INCLUDE THE MEDICAL CONDITION OF PERSISTENT VEGETATIVE STATE, is returned for concurrence in Senate committee substitute, which changes the title, and referred to the Committee on Judiciary I.

H.B. 825, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE DURHAM CITY CHARTER RELATING TO THE CITY MANAGER, is returned for concurrence in Senate amendment and placed on the Calendar for July 8.

Senate Committee Substitute for **H.B. 1013**, A BILL TO BE ENTITLED AN ACT TO DEFINE THE LIMITS OF LOCAL GOVERNMENT EMPLOYEES' POLITICAL ACTIVITIES WHILE ON DUTY, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 8.

CALENDAR (continued)

H.B. 182, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE NORTH CAROLINA HOUSING FINANCE AGENCY TO EXPAND ITS USE OF THE MULTIFAMILY RENTAL ASSISTANCE FUND TO AID IN THE PREVENTION OF HOMELESSNESS.

On motion of Representative Barnes, the House concurs in the Senate amendment, by electronic vote (76-1), and the bill is ordered enrolled.

H.B. 367, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PAYMENT OF PENALTIES FOR LATE PAYMENT OF CONTRIBUTIONS BY EMPLOYERS PARTICIPATING IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.

On motion of Representative Greenwood, the House concurs in the Senate amendment, by electronic vote (77-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 370**, A BILL TO BE ENTITLED AN ACT SPECIFYING PROCEDURES FOR FILING OF ANNEXATION DOCUMENTS WITH THE SECRETARY OF STATE.

On motion of Representative Jordan, the House concurs in Senate Amendment No. 1 by electronic vote (74-0).

On motion of Representative Jordan, the House concurs in Senate Amendment No. 2, by electronic vote (81-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 419**, A BILL TO BE ENTITLED AN ACT RELATING TO REVIVAL OF WILL PROVISIONS REVOKED BY DIVORCE OR ANNULMENT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative Kennedy, the House concurs in the Senate committee substitute, by electronic vote (88-0), and the bill is ordered enrolled.

Committee Substitute No. 2 for **S.B. 534**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF COLUMBUS TO LEVY A ROOM OCCUPANCY TAX.

On motion of Representative Jack Hunt, consideration of the bill is postponed until July 8.

Committee Substitute for **H.B. 765**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DURHAM COUNTY TO IMPLEMENT A SYSTEM OF IMPACT FEES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Barbee, Barnes, Barnhill, Bowen, Bowie, Bowman, Brown, Buchanan, Chapin, Church, Culp, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Grady, Gray, Green, Greenwood, Hackney, Hardaway, Hasty, Hege, Hensley, Holmes, Holt, Howard, Jack Hunt, Judy Hunt, H. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Lewis, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wilmoth, Withrow, and Wood - 84.

Voting in the negative: Representatives Balmer, Beall, Brawley, Creech, Decker, Grimmer, Ligon, Loflin, and Pope - 9.

Excused absences: Representatives Beard, Brubaker, Cunningham, Sam Hunt, James, Justus, Rhodes, and Wilson - 8.

House Committee Substitute for S.B. 531, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE EASTERN BAND OF CHEROKEE INDIANS SHALL BE ELIGIBLE TO: (1) BE A MEMBER OF A REGIONAL SOLID WASTE MANAGEMENT AUTHORITY, AND (2) APPLY FOR FINANCING A PROJECT WITH A LOAN FROM THE NORTH CAROLINA SOLID WASTE MANAGEMENT CAPITAL PROJECTS FINANCING AUTHORITY, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Beall, Bowen, Bowie, Bowman, Brawley, Buchanan, Chapin, Church, J. W. Crawford, Creech, Culp, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Grady, Gray, Green, Greenwood, Hackney, Hardaway, Hasty, Hege, Holmes, Holt, Howard, Huffman, Jack Hunt, H. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Kerr, Lewis, Ligon, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLaughlin, Mavretic, Michaux, Morgan, Nye, Oldham, Pope, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Stamey, Stewart, Tallent, Thompson, Warner, Wicker, Wood, and Woodard - 85.

Voting in the negative: None.

Excused absences: Representatives Beard, Brubaker, Cunningham, Sam Hunt, James, Justus, Rhodes, and Wilson - 8.

Committee Substitute for H.B. 564, A BILL TO BE ENTITLED AN ACT TO REGULATE THE PRACTICE OF DIETETICS/NUTRITION.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Dawkins, Decker, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Foster, Fussell, Gardner, Gist, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Holt, Howard, Huffman, Jack Hunt, H. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Lewis, Ligon, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wainwright, Warner, Wicker, Wilmoth, Withrow, and Woodard - 90.

Voting in the negative: Representatives Grady, Hege, and Holmes - 3.

Excused absences: Representatives Beard, Brubaker, Cunningham, Sam Hunt, James, Justus, Rhodes, and Wilson - 8.

House Committee Substitute for S.B. 232, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE ELECTION OF THE GOVERNOR, LIEUTENANT GOVERNOR, AND THE REST OF THE COUNCIL OF STATE TO NON-PRESIDENTIAL EVEN-NUMBERED YEARS.

On motion of Representative Ethridge, consideration of the bill is postponed until July 9 by electronic vote (66-33).

S.B. 670, A BILL TO BE ENTITLED AN ACT AUTHORIZING WILDLIFE PROTECTORS TO ASSIST IN THE ENFORCEMENT OF LAWS WHEN A CRIME HAS BEEN COMMITTED IN THEIR PRESENCE OR WHEN A STATE OR LOCAL LAW ENFORCEMENT OFFICER HAS REQUESTED THEIR ASSISTANCE.

On motion of Representative Jack Hunt, consideration of the bill is postponed until July 9.

S.B. 689, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING CREATION OF A JOINT TENANCY WITH RIGHT OF SURVIVORSHIP, passes its second reading by electronic vote (76-15).

Representative Dawkins objects to the third reading. The bill remains on the Calendar.

CONFERENCE REPORT

Representative Gamble sends forth the following Conference Report and moves its adoption.

House Committee Substitute for H.B. 1073

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on H.B. 1073, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES IN BALLOT INSTRUCTIONS AND BALLOT FORMAT, Third Edition engrossed 5/9/91, as amended 6/26/91

wish to report as follows:

The Senate recedes from Amendment #1 and the House and Senate agree to the following amendment:

on page 2, lines 5 through 8,

by deleting the language on those lines and substituting the following:
~~"Contests in the general election for seats in the State House of Representatives and State Senate shall be on ballots that are separate from ballots containing non-legislative contests, except where the voting system used makes separation of ballots impracticable. State House and State Senate contests shall be on the same ballot, unless one is a single seat contest and the other a multi-seat contest"; and~~

moves to amend the bill on page 3, lines 8 through 22,
and on page 4, lines 27 through 41,
by deleting the language on those lines and substituting the following:

- ~~"b. You may vote a split ticket by marking a cross (X) mark in the party circle and then making a cross (X) mark in the square opposite the name of the candidate(s) of a different party. In any multi-seat race where a party circle is marked and you vote for candidates of another party, in order for your vote to count for any candidates for that office of the party for which you marked the party circle you must make a cross (X) mark opposite the name of those candidate(s)."~~
- ~~e. You may also vote a split ticket by not marking a cross (X) mark in the party circle, but by making a cross (X) mark in the square opposite the name of each candidate for whom you wish to vote.~~
- b. You may vote a split ticket by not marking a cross (X) mark in the party circle, but by making a cross (X) mark in the square opposite the name of each candidate for whom you wish to vote.
- c. You may also vote a split ticket by marking a cross (X) mark in the party circle and then making a cross (X) mark in the square opposite the name of any candidate you choose of a different party. In any multi-seat race where a party circle is marked and you vote for candidates of another party, you must also make a cross (X) mark opposite the name of any candidate you choose of the party for which you marked the party circle to assure your vote will count."
- and

on page 3, line 3, and page 4, line 22,
by deleting "b-" and substituting "e-".

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 4th day of July, 1991.

*Conferees for the
Senate*

S/ Ralph A. Hunt
S/ John G. Blackmon
S/ Alexander P. Sands, III

*Conferees for the
House of Representatives*

S/ John R. Gamble, Jr.
S/ Charles M. Beall
S/ Johnathan L. Rhyne, Jr.

The Conference Report is adopted, by electronic vote (82-1), and the Senate is so notified by Special Message.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 965, AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1991. (CHAPTER 571)

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Kennedy for the Committee on Judiciary I:

Committee Substitute for **S.B. 597**, A BILL TO BE ENTITLED AN ACT TO PROVIDE ATTORNEYS' FEES TO PREVAILING PARTIES IN ACTIONS RELATING TO STATUTORY LIENS ON REAL PROPERTY AND PAYMENT AND PERFORMANCE BONDS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for July 9. The Senate committee substitute bill is placed on the Unfavorable Calendar.

RE-REFERRALS

On motion of Representative Jack Hunt, **S.B. 292**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE DISABILITY INCOME PLAN OF NORTH CAROLINA, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Pensions and Retirement.

On motion of Representative Jack Hunt, **S.B. 715**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW RELATING TO THE ISSUANCE OF ABC PERMITS TO SPORTS CLUBS, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Economic Expansion.

SUSPENSION OF RULE 28(e)

On motion of the Chair, Rule 28(e) is suspended in order that the conferees on **H.B. 83** may meet on Saturday and Sunday, if needed.

On motion of Representative Jack Hunt, seconded by Representative Ramsey, the House adjourns at 11:00 a.m. to reconvene Monday, July 8 at 7:00 p.m.

NINETY-NINTH DAY

HOUSE OF REPRESENTATIVES
Monday, July 8, 1991

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of July 4 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (74-0).

Leaves of absence are granted Representatives N. J. Crawford, Holmes, Isenhower, Thompson, and Wainwright for today.

SUSPENSION OF RULES

Representative Balmer moves that the rules be suspended in order that **H.B. 1310, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS**, filed in the Principal Clerk's office may be introduced and read the first time. This motion fails by electronic vote (39-63).

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 4, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on House Committee Substitute for **S.B. 16, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS**, to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

Senate Committee Substitute for **H.B. 20, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A MORE EFFICIENT AND EQUITABLE PROCEDURE FOR ASSESSING AND COLLECTING LOCAL AD VALOREM PROPERTY TAXES ON CERTAIN MOTOR VEHICLES**, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 9.

H.B. 193, A BILL TO BE ENTITLED AN ACT TO ALLOW CURRITUCK COUNTY TO ESTABLISH A SPECIAL LEASH LAW DISTRICT, APPLY A LEASH LAW WITHIN THAT DISTRICT, AND LEVY A TAX IN THAT DISTRICT FOR ENFORCEMENT OF THE LEASH LAW, is returned for concurrence in Senate amendment and placed on the Calendar for July 9.

Senate Committee Substitute for **H.B. 450, A BILL TO BE ENTITLED AN ACT TO UPDATE AND CLARIFY THE TRADEMARK REGISTRATION ACT**, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 9.

H.B. 491, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL, is returned for concurrence in Senate amendment and placed on the Calendar for July 9.

Senate Committee Substitute No. 2 for **H.B. 757**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DUNN TO IMPOSE FACILITY FEES, is returned for concurrence in Senate Committee Substitute No. 2 and placed on the Calendar for July 9.

S.B. 185, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE PARTIAL TAX EXEMPTION FOR FOREIGN SALES CORPORATIONS AND TO MODIFY DEPARTMENT OF REVENUE REPORTING DATES IN ORDER TO PROVIDE SUFFICIENT INFORMATION FOR THE GENERAL ASSEMBLY TO DECIDE WHETHER TO RETAIN THE TAX EXEMPTION, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

S.B. 440, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO PERMIT THE ISSUANCE OF LOCAL GOVERNMENT BONDS TO FINANCE THE PUBLIC PORTION OF URBAN REDEVELOPMENT OR ECONOMIC DEVELOPMENT PROJECTS, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for **S.B. 943**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF WATER WITHDRAWALS AND TRANSFERS OF ONE MILLION GALLONS OR MORE PER DAY, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Senate Committee Substitute for **H.B. 852**, A BILL TO BE ENTITLED AN ACT TO MAKE UNLAWFUL THE SALE OF CIGARETTES TO ANY PERSON WHO IS LESS THAN EIGHTEEN YEARS OLD, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 9.

Senate Committee Substitute for **H.B. 924**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ISSUANCE OF CERTAIN PERMITS TO EMIT AIR CONTAMINANTS UNTIL EACH LOCAL GOVERNMENT HAVING JURISDICTION STATES THAT THE PROPOSED FACILITY IS CONSISTENT WITH LOCAL LAND-USE PLANS IF IT HAS SUCH A PLAN, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 9.

Senate Committee Substitute for **H.B. 1037**, A BILL TO BE ENTITLED AN ACT TO REFORM THE SMALL EMPLOYER GROUP ACCIDENT AND HEALTH INSURANCE MARKETPLACE IN THE STATE OF NORTH CAROLINA, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 9.

Committee Substitute for **S.B. 505**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF WHITSETT IN GUILFORD COUNTY, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 701**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE LEGISLATIVE APPOINTMENTS TO THE BOARD OF EDUCATION FOR THE PUBLIC SCHOOLS OF ROBESON COUNTY, TO PROVIDE FOR EIGHT SINGLE-MEMBER DISTRICTS, AND FOR THREE MEMBERS TO BE ELECTED AT LARGE WITH LIMITED VOTING.

On motion of Representative DeVane, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 738**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO IMPOSE CONDITIONS AND RESTRICTIONS ON THE SALE OF PROPERTY AND TO MAKE TECHNICAL CORRECTIONS TO THE CHARTER AND IN PENDER COUNTY.

On motion of Representative Gottovi, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representatives Bowen, Fitch, and Sam Hunt for the Committee on Legislative and Local Redistricting:

H.B. 776, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A DISTRICT SYSTEM FOR ELECTING SOME OR ALL OF THE MEMBERS OF THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for July 10. The original bill is placed on the Unfavorable Calendar.

CONFERENCE REPORT

Representative Sam Hunt sends forth the following Conference Report and moves its adoption.

Conference Committee Substitute for House Committee Substitute for **S.B. 16**

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on **S.B. 16**, A

BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS, House Committee Substitute Favorable 6/24/91

wish to report as follows:

The Senate concurs in the House Committee Substitute with the following amendment: delete the entire House Committee Substitute and insert the attached Proposed Conference Committee Substitute PCCS-8699.

The House agrees to the same.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 8th day of July, 1991.

*Conferees for the
Senate*

S/ Dennis J. Winner
S/ Joseph E. Johnson
S/ Russell Walker
S/ Beverly M. Perdue
S/ Roy Cooper

*Conferees for the
House of Representatives*

S/ Ed Bowen
S/ Milton F. Fitch, Jr.
S/ R. Samuel Hunt, III
S/ Anne C. Barnes
S/ Charles F. Buchanan

The Conference Report is adopted, by electronic vote (72-35), and the Senate is so notified by Special Message. (The Conference Committee Substitute Bill in its entirety may be found in the Appendix.)

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Hardaway for the Committee on Commerce:

Committee Substitute for S.B. 41, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE SAVINGS INSTITUTIONS LAW, with a favorable report.

S.B. 570, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES TO VACATE AND CLOSE CERTAIN DWELLINGS FOUND TO BE IN VIOLATION OF THE MINIMUM HOUSING CODE, with an indefinite postponement report.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Lilley for the Permanent Subcommittee on Ways and Means:

H.B. 888, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA AQUARIUMS COMMISSION AND AQUARIUM ENTRANCE FEES, reported to the Standing Committee on Finance, with a favorable recommendation as to proposed

committee substitute bill, which changes the title, unfavorable as to original bill.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 257, AN ACT TO AUTHORIZE THE DEPARTMENT OF HUMAN RESOURCES TO ISSUE PROVISIONAL LICENSES FOR DOMICILIARY HOMES AND TO ESTABLISH CERTAIN APPEALS TIME LIMITS. (CHAPTER 572)

S.B. 373, AN ACT TO ADD FOUR MEMBERS TO THE NORTH CAROLINA BOARD OF SCIENCE AND TECHNOLOGY. (CHAPTER 573)

S.B. 397, AN ACT TO INCREASE AND MAKE UNIFORM THE FEES FOR COPYING A FILED DOCUMENT, COMPARING A COPY TO THE ORIGINAL FILED DOCUMENT, AND CERTIFYING A DOCUMENT UNDER THE BUSINESS CORPORATION ACT, THE NONPROFIT CORPORATION ACT, AND THE REVISED UNIFORM LIMITED PARTNERSHIP ACT. (CHAPTER 574)

S.B. 424, AN ACT TO EXPAND THE AUTHORITY OF THE COURTS TO REQUIRE PAYMENT OF ATTORNEYS' FEES BY PARENTS WHO ARE FINANCIALLY ABLE TO PAY AND TO PROVIDE A PILOT PROGRAM EXPANDING THE AUTHORITY OF THE ADMINISTRATIVE OFFICE OF THE COURTS TO CONTRACT FOR THE SERVICES OF PRIVATE ATTORNEYS FOR SPECIALIZED REPRESENTATION OF INDIGENTS. (CHAPTER 575)

S.B. 449, AN ACT TO REQUIRE OPERATING PERMITS FOR COMMUNITY WATER SYSTEMS REGULATED UNDER THE NORTH CAROLINA DRINKING WATER ACT AND TO AUTHORIZE THE COLLECTION OF FEES FOR SUCH PERMITS. (CHAPTER 576)

S.B. 585, AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO CHANGE THE MANNER IN WHICH CORNER LOT RELIEF FROM SPECIAL ASSESSMENTS FOR WATER AND SEWER PROJECTS IS CALCULATED; TO REPEAL THE MERCHANT'S DISCOUNT UNDER THE MOORESVILLE ROOM OCCUPANCY TAX; AND TO AUTHORIZE RUTHERFORD COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX. (CHAPTER 577)

S.B. 742, AN ACT TO AMEND THE REGULATION OF MEDICAL DEVICES BY THE STATE BOARD OF PHARMACY. (CHAPTER 578)

H.B. 124, AN ACT TO AMEND THE WATER SUPPLY WATERSHED PROTECTION STATUTES TO CLARIFY LOCAL AND STATE POWERS AND DUTIES. (CHAPTER 579)

H.B. 134, AN ACT TO CLARIFY THE POWER OF REGIONAL SOLID WASTE MANAGEMENT AUTHORITIES TO REGULATE THE FLOW OF NONHAZARDOUS SOLID WASTE. (CHAPTER 580)

H.B. 165, AN ACT TO ENCOURAGE THE MAINTENANCE OF AFFORDABLE HOUSING STOCK. (CHAPTER 581)

H.B. 182, AN ACT TO REQUIRE THE NORTH CAROLINA HOUSING FINANCE AGENCY TO EXPAND ITS USE OF THE MULTIFAMILY RENTAL ASSISTANCE FUND TO AID IN THE PREVENTION OF HOMELESSNESS. (CHAPTER 582)

H.B. 233, AN ACT TO MODIFY THE MEMBERSHIP OF THE STANLY COUNTY AIRPORT AUTHORITY. (CHAPTER 583)

H.B. 308, AN ACT TO ALLOW LOCAL GOVERNMENTAL UNITS TO CONTRACT WITH FINANCIAL INSTITUTIONS FOR RECEIPT OF PAYMENTS OF DELINQUENT PROPERTY TAXES AND INTEREST AND TO AUTHORIZE LOCAL GOVERNMENTS TO ALLOW PAYMENT OF PROPERTY TAXES BY CREDIT CARD. (CHAPTER 584)

H.B. 367, AN ACT TO PROVIDE FOR PAYMENT OF PENALTIES FOR LATE PAYMENT OF CONTRIBUTIONS BY EMPLOYERS PARTICIPATING IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM. (CHAPTER 585)

H.B. 370, AN ACT SPECIFYING PROCEDURES FOR FILING OF ANNEXATION DOCUMENTS WITH THE SECRETARY OF STATE. (CHAPTER 586)

H.B. 419, AN ACT RELATING TO REVIVAL OF WILL PROVISIONS REVOKED BY DIVORCE OR ANNULMENT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (CHAPTER 587)

H.B. 464, AN ACT TO MODIFY THE FEES PAYABLE BY SEED GROWERS AND DEALERS, TO AUTHORIZE THE BOARD OF AGRICULTURE TO ISSUE A STOP-SALE ORDER WHEN A DEALER OR GROWER FAILS TO PAY THE SEED FEE, AND TO ELIMINATE THE REQUIREMENT THAT A SEED DEALER OR GROWER FURNISH A BOND. (CHAPTER 588)

H.B. 488, AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF A CAPITAL IMPROVEMENTS PROJECT AT WINSTON-SALEM STATE UNIVERSITY. (CHAPTER 589)

H.B. 490, AN ACT TO AMEND CHAPTER 965 OF THE 1989 SESSION LAWS TO PROVIDE CHANGES ONLY WITH RESPECT TO A PROJECT WHOLLY SELF-LIQUIDATING. (CHAPTER 590)

H.B. 501, AN ACT TO CLARIFY THE PUBLIC ENTERPRISE LAW WITH RESPECT TO STORMWATER UTILITIES ESTABLISHED BY CITIES AND COUNTIES AND TO GIVE WATER AND SEWER AUTHORITIES THE ABILITY TO OPERATE AND FINANCE STORMWATER UTILITIES. (CHAPTER 591)

H.B. 556, AN ACT TO INCREASE VARIOUS FEES IMPOSED BY THE HEARING AID DEALERS AND FITTERS BOARD AND TO AUTHORIZE THE BOARD TO IMPOSE ADDITIONAL FEES. (CHAPTER 592)

H.B. 597, AN ACT TO ENCOURAGE THE STATE BUREAU OF INVESTIGATION TO FORM A TASK FORCE TO INVESTIGATE ALL CASES OF SUBSTANTIATED CHILD SEXUAL ABUSE IN DAY CARE. (CHAPTER 593)

H.B. 703, AN ACT TO AUTHORIZE WAKE COUNTY TO LEVY A ROOM OCCUPANCY TAX AND A PREPARED FOOD AND BEVERAGE TAX. (CHAPTER 594)

H.B. 728, AN ACT TO PROVIDE FOR A COLLECTIBLE LIEN FOR SERVICES RENDERED BY PRIVATE RESCUE SQUADS THAT ARE SUBSTANTIALLY SUPPORTED BY MUNICIPALITIES. (CHAPTER 595)

H.B. 790, AN ACT TO EXEMPT THE TOWN OF FAISON FROM CERTAIN NOTICE REQUIREMENTS, TO EXTEND THE TOWN OF FAISON'S EXTRATERRITORIAL JURISDICTION, AND TO AUTHORIZE THE CITY OF BELMONT TO EXTEND ITS EXTRATERRITORIAL JURISDICTION TWO MILES FROM ITS CITY LIMITS. (CHAPTER 596)

H.B. 809, AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE SEVEN LAKES COMMUNITY IN MOORE COUNTY. (CHAPTER 597)

H.B. 1039, AN ACT TO FACILITATE THE CONSTRUCTION OF FACILITIES IN AND THE EXTENSION OF NATURAL GAS SERVICE TO UNSERVED AREAS AND TO REVISE THE PROCEDURES FOR GAS COST ADJUSTMENTS FOR NATURAL GAS LOCAL DISTRIBUTION COMPANIES. (CHAPTER 598)

H.B. 1163, AN ACT AUTHORIZING THE CONSTRUCTION AND FINANCING OF A CERTAIN CAPITAL IMPROVEMENT PROJECT AT APPALACHIAN STATE UNIVERSITY. (CHAPTER 599)

H.B. 1298, AN ACT AFFECTING THE ELECTION OF THE SAMPSON COUNTY BOARD OF COMMISSIONERS. (CHAPTER 600)

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

S.J.R. 957, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CARL WILLIAM RULLMAN, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY, is read the first time.

On motion of Representative Huffman, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

CALENDAR (continued)

Senate Committee Substitute for H.B. 740, A BILL TO BE ENTITLED AN ACT PERMITTING THE BOARD OF TRUSTEES OF BRUNSWICK COMMUNITY COLLEGE TO GRANT SECURITY INTEREST TO FEDERAL AGENCIES.

On motion of Representative Redwine, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

H.B. 825, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE DURHAM CITY CHARTER RELATING TO THE CITY MANAGER.

On motion of Representative Miller, the House concurs in the Senate amendment and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for H.B. 1109, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE MANAGEMENT OF NONHAZARDOUS SOLID WASTE, TO REDEFINE THE STATE SOLID WASTE MANAGEMENT GOALS, AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO THE SOLID WASTE MANAGEMENT LAWS.

On motion of Representative Hackney, the House concurs in the Senate committee substitute, by electronic vote (97-0), and the bill is ordered enrolled.

Committee Substitute for H.B. 433, A BILL TO BE ENTITLED AN ACT TO REGULATE MULTIPLE EMPLOYER WELFARE ARRANGEMENTS THAT ARE NOT SUBJECT TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT.

On motion of Representative Hardaway, the House concurs in the Senate amendment, by electronic vote (93-0), and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for H.B. 413, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINES FOR LITTERING AND TO CLARIFY THE STATUTES RELATING TO LITTERING.

On motion of Representative DeVane, the House concurs in the Senate committee substitute, by electronic vote (98-0), and the bill is ordered enrolled.

Senate Committee Substitute for H.B. 544, A BILL TO BE ENTITLED AN ACT CREATING CIVIL PENALTIES FOR BUYING OR SELLING NON-TAX-PAID FUEL.

On motion of Representative Brawley, the House concurs in the Senate committee substitute, by electronic vote (95-1), and the bill is ordered enrolled.

Committee Substitute No. 2 for **H.B. 904, A BILL TO BE ENTITLED AN ACT TO REGULATE THE SALE OF MOTOR VEHICLES BY MOTOR VEHICLE DEALERS.**

On motion of Representative Kerr, the House does not concur in the Senate amendment, by electronic vote (93-1), and conferees are requested.

The Speaker announces the appointment of Representatives Kerr, Hege, and Fletcher as conferees and the Senate is so notified by Special Message.

H.B. 933, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SALES TAX EXEMPTION FOR PRISON CONCESSION SALES.

On motion of Representative Howard, the House concurs in the Senate amendment, by electronic vote (98-0), and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for **H.B. 1027, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PAYMENT OF A CONTRACTOR OR SUBCONTRACTOR IS NOT A CONDITION PRECEDENT FOR PAYMENT TO ANY SUBCONTRACTOR.**

On motion of Representative Payne, the House concurs in the Senate committee substitute, by electronic vote (101-1), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 190, A BILL TO BE ENTITLED AN ACT ALLOWING JUDGMENT FOR EQUITABLE DISTRIBUTION TO BE ENTERED PRIOR TO ENTRY OF A DIVORCE DECREE IN CERTAIN CASES AND TO CLARIFY EQUITABLE DISTRIBUTIONS RELATED TO A PROFESSIONAL PRACTICE.**

On motion of Representative Rhyne, the House does not concur in the Senate committee substitute, by electronic vote (95-3), and conferees are requested.

The Speaker announces the appointment of Representatives Rhyne, Hackney, Flaherty, Payne and Bowman as conferees and the Senate is so notified by Special Message.

Senate Committee Substitute for House Committee Substitute for **H.B. 332, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW REGARDING THE GOVERNOR'S APPOINTMENTS TO THE GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES TO FEDERAL LAW.**

On motion of Representative Russell, the House concurs in the Senate committee substitute, by electronic vote (104-0), and the bill is ordered enrolled.

H.B. 398, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE JUDGES TO MAKE INTERIM ALLOCATIONS OF ASSETS PENDING A FINAL EQUITABLE DISTRIBUTION JUDGMENT.

On motion of Representative Hackney, consideration of the bill is postponed until July 9.

H.B. 417, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN ACTION UNDER THE CHAPTER OF LAW CONCERNING DIVORCE AND ALIMONY TO PROTECT THE PROPERTY OF AN INCOMPETENT SPOUSE BUT TO PREVENT THE ENTRY OF A DIVORCE DECREE ON BEHALF OF THE INCOMPETENT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative Kennedy, the House concurs in the Senate amendment, by electronic vote (100-0), and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for **H.B. 498, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE QUALIFICATIONS FOR THE POSITION OF LOCAL HEALTH DIRECTOR.**

On motion of Representative Barnhill, the House concurs in the Senate committee substitute, by electronic vote (95-0), and the bill is ordered enrolled.

Senate Committee Substitute No. 2 for **H.B. 1013, A BILL TO BE ENTITLED AN ACT TO DEFINE THE LIMITS OF LOCAL GOVERNMENT EMPLOYEES' POLITICAL ACTIVITIES.**

On motion of Representative Fitch, the House concurs in Senate Committee Substitute No. 2, by electronic vote (98-0), and the bill is ordered enrolled.

Committee Substitute No. 2 for **S.B. 534, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF COLUMBUS TO LEVY A ROOM OCCUPANCY TAX.**

On motion of Representative Withrow, consideration of the bill is postponed until July 10.

Committee Substitute for **H.B. 765, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DURHAM COUNTY TO IMPLEMENT A SYSTEM OF IMPACT FEES**, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Albertson, Barnes, Barnhill, Beard, Bowen, Bowie, Brubaker, Buchanan, Chapin, Colton, N. J. Crawford, Culp, Cunningham, Dawkins, Dial, Diamont, Dickson, Dockham, Easterling, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gardner, Gottovi, Grady, Green, Greenwood, Hackney, Hege, Hensley, Hightower, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, R. Hunter, Hurley, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Lewis, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller,

Nesbitt, Nye, Oldham, Payne, Ramsey, Rhodes, Rogers, Smith, Stamey, Tallent, Warner, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 77.

Voting in the negative: Representatives Abernethy, Balmer, Barbee, Beall, Brown, J. W. Crawford, Creech, Decker, Esposito, Gray, Grimmer, Kimsey, Ligon, Morgan, Pope, Privette, and Wood - 17.

Excused absences: Representatives Holmes, Isenhower, Thompson, and Wainwright - 4.

Committee Substitute No. 2 for **S.B. 450**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CERTIFICATION OF WATER POLLUTION CONTROL SYSTEM OPERATORS BY EXPANDING THE FUNCTIONS OF THE WASTEWATER TREATMENT PLANT OPERATORS CERTIFICATION COMMISSION AND TO RENAME THE COMMISSION AS THE WATER POLLUTION CONTROL SYSTEM OPERATORS CERTIFICATION COMMISSION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, Colton, N. J. Crawford, Creech, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, R. Hunter, Hurley, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Rhodes, Rhyne, Robinson, Rogers, Smith, Stamey, Tallent, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 100.

Voting in the negative: Representative Decker.

Excused absences: Representatives Holmes, Isenhower, Thompson, and Wainwright - 4.

S.B. 689, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING CREATION OF A JOINT TENANCY WITH RIGHT OF SURVIVORSHIP, passes its third reading, by electronic vote (94-5), and is ordered enrolled.

S.B. 684, A BILL TO BE ENTITLED AN ACT TO ENABLE THE BOARD OF CHIROPRACTIC EXAMINERS TO CERTIFY DIAGNOSTIC IMAGING TECHNICIANS EMPLOYED BY CHIROPRACTORS.

On motion of Representative Jeralds, Committee Amendment No. 1 is adopted.

Representative Colton offers perfecting Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading by electronic vote (94-5).

Representative Gamble objects to the third reading. The bill remains on the Calendar.

House Committee Substitute for S.B. 398, A BILL TO BE ENTITLED AN ACT TO AMEND THE BUSINESS CORPORATION ACT AND MAKE A CONFORMING AMENDMENT TO G.S. 47-18.1 AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND TO AMEND CERTAIN OTHER STATUTES PERTAINING TO CORPORATIONS.

Representative Wicker offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (95-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for S.B. 723, A BILL TO BE ENTITLED AN ACT TO ESTABLISH SAFEGUARDS FOR CONTROLLED SUBSTANCE EXAMINATIONS, passes its second reading by electronic vote (91-1).

Representative Pope objects to the third reading. The bill remains on the Calendar.

House Committee Substitute for S.B. 360, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DEFINITION OF "IMMINENT HAZARD" AS IT APPLIES TO CHAPTER 130A OF THE GENERAL STATUTES, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for S.B. 816, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING AMENDMENTS TO THE CERTIFICATE OF NEED STATUTES.

Representative Jeralds offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (89-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

S.B. 401, A BILL TO BE ENTITLED AN ACT TO ALLOW THE EMPLOYMENT SECURITY COMMISSION TO SHARE CERTAIN INFORMATION WITH THE STATE CONTROLLER, passes its second reading, by electronic vote (93-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

House Committee Substitute for S.B. 384, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PROCEDURE FOR ISSUING NONRESIDENT NONCOMPLIANCE REPORTS AND TO MAKE CHANGES REGARDING SUSPENSION AND REVOCATION OF DRIVERS LICENSES, passes its second reading by electronic vote (97-1).

Representative Michaux objects to the third reading. The bill remains on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 8, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the President Pro Tempore dismisses Senator Royall as a conferee on Senate Committee Substitute for H.B. 83, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET AND EXPANSION BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR OTHER PURPOSES; TO PROVIDE FOR BUDGET REFORM; AND TO PROVIDE FOR REVENUE RECONCILIATION, and appoints Senator Seymour on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

RE-REFERRALS

On motion of Representative Kennedy, Committee Substitute for H.B. 557, A BILL TO BE ENTITLED AN ACT TO PROHIBIT PRICE DISCRIMINATION IN THE SALE OF MOTOR FUELS TO A WHOLESALE PURCHASER UNDER CONTRACT, is withdrawn from the Committee on Judiciary I and re-referred to the Committee on Rules, Appointments and Calendar.

On motion of Representative Jack Hunt, Committee Substitute for S.B. 943, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF WATER WITHDRAWALS AND TRANSFERS OF ONE MILLION GALLONS OR MORE PER DAY, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Environment.

On motion of Representative Jack Hunt, Committee Substitute for S.B. 707, A BILL TO BE ENTITLED AN ACT TO PROVIDE

PROCEDURES FOR THE RETURN OF CONDEMNED PROPERTY, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Transportation.

On motion of Representative Jack Hunt, Committee Substitute No. 2 for S.B. 472, A BILL TO BE ENTITLED AN ACT TO REVISE THE DRIVERS LICENSE LAW TO HARMONIZE THE COMMERCIAL DRIVERS LICENSE PROVISIONS WITH THE REGULAR DRIVERS LICENSE PROVISIONS, TO CLARIFY THE EFFECT OF A DISQUALIFICATION TO DRIVE A COMMERCIAL MOTOR VEHICLE, AND TO IMPOSE A FEE FOR A MOTORCYCLE ENDORSEMENT, A COMMERCIAL LEARNER'S PERMIT, AND THE RESTORATION OF A LICENSE AFTER DISQUALIFICATION, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Transportation.

On motion of Representative Jack Hunt, S.B. 274, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SALE OF SURPLUS RIGHT-OF-WAY BY THE DEPARTMENT OF TRANSPORTATION, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Transportation.

On motion of Representative Jack Hunt, Senate Committee Substitute for H.B. 684, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN CITIES AND COUNTIES TO TAKE INTO CONSIDERATION PROSPECTIVE REVENUES GENERATED BY THE DEVELOPMENT IN ARRIVING AT THE AMOUNT OF CONSIDERATION FOR AN ECONOMIC DEVELOPMENT CONVEYANCE, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Local and Regional Government II.

On motion of Representative Jack Hunt, seconded by Representative Morgan, the House adjourns at 9:23 p.m. to reconvene July 9 at 1:30 p.m.

ONE-HUNDREDTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of July 8 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (80-0).

Leaves of absence are granted Representatives Holmes, Isenhower, and Wainwright for today.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representatives Hackney and Miller for the Committee on Finance:

House Committee Substitute for **S.B. 70**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE FOREIGN BANKING OFFICES IN NORTH CAROLINA, with a favorable report, as amended.

Committee Substitute No. 2 for **S.B. 69**, A BILL TO BE ENTITLED AN ACT TO REGULATE THE TRANSMISSION OF MONEY AND THE SALE OF CHECKS, with a favorable report, as amended.

SUBCOMMITTEE REFERRAL

Representatives Hackney and Miller, Chairmen for the Standing Committee on Finance, refer:

H.B. 1272, A BILL TO BE ENTITLED AN ACT TO INCREASE THE TAX ON WORKERS' COMPENSATION INSURANCE PREMIUMS AND TO DEDICATE PART OF THE ADDITIONAL TAX REVENUE FOR SUPPORT OF THE INDUSTRIAL COMMISSION, to the Permanent Subcommittee on Ways and Means.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

S.B. 506, A BILL TO BE ENTITLED AN ACT TO ADOPT OAK RIDGE MILITARY ACADEMY AS THE OFFICIAL STATE MILITARY ACADEMY, with a favorable report, as amended.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

Senate Committee Substitute for **H.B. 80**, A BILL TO BE ENTITLED AN ACT AUTHORIZING REGIONAL TRANSPORTATION AUTHORITIES TO LEVY A TAX ON GROSS RECEIPTS DERIVED FROM THE SHORT-TERM LEASE OR RENTAL OF PASSENGER MOTOR VEHICLES, is returned for concurrence in Senate committee substitute, which changes the title and which is ruled to be material, thus constituting the first reading of the bill.

The bill is placed on the Calendar for July 10 for its second roll call reading for concurrence.

S.B. 452, A BILL TO BE ENTITLED AN ACT TO PERMIT NORTH CAROLINA CITIES AND COUNTIES TO ISSUE BONDS TO FINANCE ECONOMIC DEVELOPMENT AND URBAN REDEVELOPMENT, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representative Balmer:

H.B. 1310, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS, is referred to the Committee on Congressional Redistricting.

CALENDAR

Action is taken on the following:

H.B. 193, A BILL TO BE ENTITLED AN ACT TO ALLOW CURRITUCK COUNTY TO ESTABLISH A SPECIAL LEASH LAW DISTRICT, APPLY A LEASH LAW WITHIN THAT DISTRICT, AND LEVY A TAX IN THAT DISTRICT FOR ENFORCEMENT OF THE LEASH LAW.

On motion of Representative James, the House concurs in the Senate amendment and the bill is ordered enrolled.

Senate Committee Substitute No. 2 for **H.B. 757, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DUNN TO IMPOSE FACILITY FEES.**

On motion of Representative Stewart, the House does not concur in the Senate committee substitute and conferees are requested.

The Speaker announces the appointment of Representatives Stewart, Gamble, and Gist as conferees and the Senate is so notified by Special Message.

H.J.R. 1302, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF SIPPION BURTON, JR., CIVIL RIGHTS LEADER, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 16, AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS. (CHAPTER 601)

S.B. 34, AN ACT TO ABOLISH THE USE OF THE RULE OF 78s AS IT PERTAINS TO INSTALLMENT LOANS SECURED BY REAL PROPERTY OR MOBILE HOMES. (CHAPTER 602)

S.B. 401, AN ACT TO ALLOW THE EMPLOYMENT SECURITY COMMISSION TO SHARE CERTAIN INFORMATION WITH THE STATE CONTROLLER. (CHAPTER 603)

S.B. 642, AN ACT TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL ISSUE RULES GOVERNING THE ISSUANCE OF SPECIAL PERMITS FOR VEHICLES OF EXCESSIVE SIZE, WEIGHT, OR NUMBER OF UNITS. (CHAPTER 604)

S.B. 669, AN ACT TO AUTHORIZE A PORK PROMOTION ASSESSMENT. (CHAPTER 605)

S.B. 689, AN ACT TO CLARIFY THE LAW REGARDING CREATION OF A JOINT TENANCY WITH RIGHT OF SURVIVORSHIP. (CHAPTER 606)

S.B. 817, AN ACT TO PROTECT BONA FIDE PURCHASERS FOR VALUE OF REAL PROPERTY AGAINST JUDGMENTS FOR WHICH THE STATUTE OF LIMITATIONS IS SUSPENDED FOR THE PERIOD OF EXEMPTION BY REQUIRING THE ORDER DESIGNATING EXEMPT PROPERTY TO BE FILED IN THE REGISTER OF DEEDS OFFICE. (CHAPTER 607)

H.B. 332, AN ACT TO CONFORM THE LAW REGARDING THE GOVERNOR'S APPOINTMENTS TO THE GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES TO FEDERAL LAW. (CHAPTER 608)

H.B. 413, AN ACT TO INCREASE THE FINES FOR LITTERING AND TO CLARIFY THE STATUTES RELATING TO LITTERING. (CHAPTER 609)

H.B. 417, AN ACT TO AUTHORIZE AN ACTION UNDER THE CHAPTER OF LAW CONCERNING DIVORCE AND ALIMONY TO PROTECT THE PROPERTY OF AN INCOMPETENT SPOUSE BUT TO PREVENT THE ENTRY OF A DIVORCE DECREE ON BEHALF OF THE INCOMPETENT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (CHAPTER 610)

H.B. 433, AN ACT TO REGULATE MULTIPLE EMPLOYER WELFARE ARRANGEMENTS THAT ARE NOT SUBJECT TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT. (CHAPTER 611)

H.B. 498, AN ACT TO ESTABLISH THE QUALIFICATIONS FOR THE POSITION OF LOCAL HEALTH DIRECTOR. (CHAPTER 612)

H.B. 544, AN ACT CREATING CIVIL PENALTIES FOR BUYING OR SELLING NON-TAX-PAID FUEL. (CHAPTER 613)

H.B. 701, AN ACT TO ELIMINATE LEGISLATIVE APPOINTMENTS TO THE BOARD OF EDUCATION FOR THE PUBLIC SCHOOLS OF ROBESON COUNTY, TO PROVIDE FOR EIGHT SINGLE-MEMBER DISTRICTS, AND FOR THREE MEMBERS TO BE ELECTED AT LARGE WITH LIMITED VOTING. (CHAPTER 614)

H.B. 740, AN ACT PERMITTING THE BOARD OF TRUSTEES OF BRUNSWICK COMMUNITY COLLEGE TO GRANT SECURITY INTEREST TO FEDERAL AGENCIES. (CHAPTER 616)

H.B. 825, AN ACT TO MAKE AMENDMENTS TO THE DURHAM CITY CHARTER RELATING TO THE CITY MANAGER. (CHAPTER 617)

H.B. 933, AN ACT TO REPEAL THE SALES TAX EXEMPTION FOR PRISON CONCESSION SALES. (CHAPTER 618)

H.B. 1013, AN ACT TO DEFINE THE LIMITS OF LOCAL GOVERNMENT EMPLOYEES' POLITICAL ACTIVITIES. (CHAPTER 619)

H.B. 1027, AN ACT TO PROVIDE THAT PAYMENT OF A CONTRACTOR OR SUBCONTRACTOR IS NOT A CONDITION PRECEDENT FOR PAYMENT TO ANY SUBCONTRACTOR. (CHAPTER 620)

H.B. 1109, AN ACT TO IMPROVE THE MANAGEMENT OF NONHAZARDOUS SOLID WASTE, TO REDEFINE THE STATE SOLID WASTE MANAGEMENT GOALS, AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO THE SOLID WASTE MANAGEMENT LAWS. (CHAPTER 621)

S.J.R. 957, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CARL WILLIAM RULLMAN, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 22)

RE-REFERRAL

On motion of Representative DeVane, Committee Substitute for **S.B. 943**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF WATER WITHDRAWALS AND TRANSFERS OF ONE MILLION GALLONS OR MORE PER DAY, is withdrawn from the Committee on Environment and re-referred to the Committee on Finance.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative R. Hunter for the Committee on Judiciary III:

Committee Substitute for **S.B. 438**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO PROTECT CERTAIN CONFIDENTIAL INFORMATION, with a favorable report.

CALENDAR (continued)

Senate Committee Substitute for House Committee Substitute for **H.B. 1107**, A BILL TO BE ENTITLED AN ACT TO ALLOW PETS IN HOTEL ROOMS AT THE INNKEEPER'S PREROGATIVE.

On motion of Representative Payne, the House does not concur in the Senate committee substitute, by electronic vote (78-2), and conferees are requested.

The Speaker announces the appointment of Representatives Payne, Gottovi, Grady, and Fussell as conferees and the Senate is so notified by Special Message.

Senate Committee Substitute for H.B. 482, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAWS ON THIRD PARTY ADMINISTRATORS.

On motion of Representative Beard, the House concurs in the Senate committee substitute, by electronic vote (90-0), and the bill is ordered enrolled.

H.B. 398, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE JUDGES TO MAKE INTERIM ALLOCATIONS OF ASSETS PENDING A FINAL EQUITABLE DISTRIBUTION JUDGMENT.

On motion of Representative Hackney, consideration of the bill is postponed until July 10.

Senate Committee Substitute for House Committee Substitute for H.B. 20, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A MORE EFFICIENT AND EQUITABLE PROCEDURE FOR ASSESSING AND COLLECTING LOCAL AD VALOREM PROPERTY TAXES ON CERTAIN MOTOR VEHICLES.

On motion of Representative Kerr, the House concurs in the Senate committee substitute, by electronic vote (94-1), and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for H.B. 450, A BILL TO BE ENTITLED AN ACT TO UPDATE AND CLARIFY THE TRADEMARK REGISTRATION ACT.

On motion of Representative R. Hunter, the House concurs in the Senate committee substitute, by electronic vote (90-0), and the bill is ordered enrolled.

H.B. 491, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL.

The Senate amendment is ruled to be material. The amendment is read the first time and placed on the Calendar for July 10 for its second roll call reading for concurrence.

Senate Committee Substitute for H.B. 852, A BILL TO BE ENTITLED AN ACT TO MAKE UNLAWFUL THE SALE OF CIGARETTES, CIGARETTE WRAPPING PAPERS, AND SMOKELESS TOBACCO PRODUCTS TO ANY PERSON WHO IS LESS THAN EIGHTEEN YEARS OLD.

On motion of Representative Gottovi, the House concurs in the Senate committee substitute, by electronic vote (86-2), and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for H.B. 924, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE

ENVIRONMENTAL MANAGEMENT COMMISSION TO DETERMINE WHETHER A PROPOSED AIR QUALITY PERMIT IS CONSISTENT WITH LOCAL ZONING AND SUBDIVISION ORDINANCES.

On motion of Representative Judy Hunt, the House concurs in the Senate committee substitute, by electronic vote (88-0), and the bill is ordered enrolled.

Senate Committee Substitute for H.B. 1037, A BILL TO BE ENTITLED AN ACT TO REFORM THE SMALL EMPLOYER GROUP ACCIDENT AND HEALTH INSURANCE MARKETPLACE IN THE STATE OF NORTH CAROLINA.

On motion of Representative Hardaway, the House concurs in the Senate committee substitute, by electronic vote (99-0), and the bill is ordered enrolled.

Committee Substitute No. 2 for S.B. 450, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CERTIFICATION OF WATER POLLUTION CONTROL SYSTEM OPERATORS BY EXPANDING THE FUNCTIONS OF THE WASTEWATER TREATMENT PLANT OPERATORS CERTIFICATION COMMISSION AND TO RENAME THE COMMISSION AS THE WATER POLLUTION CONTROL SYSTEM OPERATORS CERTIFICATION COMMISSION, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gardner, Gottovi, Grady, Gray, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holt, Howard, Huffman, Judy Hunt, R. Hunter, Hurley, James, Jarrell, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Luebke, Lutz, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Warner, Wicker, Wilmoth, Wilson, Withrow, and Woodard - 94.

Voting in the negative: Representative Decker.

Excused absences: Representatives Holmes, Isenhower, Rhodes, and Wainwright - 4.

House Committee Substitute for S.B. 232, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO CHANGE THE ELECTION OF THE GOVERNOR, LIEUTENANT GOVERNOR, AND THE REST OF THE COUNCIL OF STATE TO NON-PRESIDENTIAL EVEN-NUMBERED YEARS.

On motion of Representative Ethridge, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Appointments and Calendar.

House Committee Substitute for S.B. 384, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PROCEDURE FOR ISSUING NONRESIDENT NONCOMPLIANCE REPORTS AND TO MAKE CHANGES REGARDING SUSPENSION AND REVOCATION OF DRIVERS LICENSES.

Representative Michaux offers Amendment No. 1 which is adopted by electronic vote (95-0).

The bill, as amended, passes its third reading, by electronic vote (99-0), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

S.B. 670, A BILL TO BE ENTITLED AN ACT AUTHORIZING WILDLIFE PROTECTORS TO ASSIST IN THE ENFORCEMENT OF LAWS WHEN A CRIME HAS BEEN COMMITTED IN THEIR PRESENCE OR WHEN A STATE OR LOCAL LAW ENFORCEMENT OFFICER HAS REQUESTED THEIR ASSISTANCE.

Representative Dawkins moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

Representative Dawkins calls the previous question on the motion and the call is sustained.

A division having been called and the vote on the motion to re-refer the bill having resulted in a tie vote, the Speaker votes "aye" and the bill is re-referred to the Committee on Judiciary II by electronic vote (55-54).

House Committee Substitute for S.B. 723, A BILL TO BE ENTITLED AN ACT TO ESTABLISH SAFEGUARDS FOR CONTROLLED SUBSTANCE EXAMINATIONS.

Representative Barnes offers Amendment No. 1 which is adopted by electronic vote (92-0).

The bill, as amended, passes its third reading, by electronic vote (87-3), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

S.B. 684, A BILL TO BE ENTITLED AN ACT TO ENABLE THE BOARD OF CHIROPRACTIC EXAMINERS TO CERTIFY DIAGNOSTIC IMAGING TECHNICIANS EMPLOYED BY CHIROPRACTORS.

Representative Jeralds calls the previous question on the passage of the bill.

Representative McGee moves that the call for the previous question be postponed indefinitely.

Representative McGee withdraws the motion to postpone indefinitely the call for the previous question.

The call for the previous question is sustained.

The bill, as amended, passes its third reading, by electronic vote (76-28), and is ordered sent to the Senate for concurrence in House amendments by Special Message.

House Committee Substitute for **S.B. 828**, A BILL TO BE ENTITLED AN ACT TO REORGANIZE THE LANGUAGE OF A STATUTE IN ORDER TO MAKE THE STATUTE MORE READABLE AND TO PERMIT PUBLIC SCHOOL EMPLOYEES TO AUTHORIZE THE PERIODIC DEDUCTION FROM THEIR SALARIES OF PAYMENTS TO THE EMPLOYEES' ASSOCIATION.

Representative Mavretic offers Amendment No. 1.

Representative Mavretic withdraws Amendment No. 1.

Representative Mavretic moves that the bill be withdrawn from today's Calendar and placed on the Calendar for July 10. A division having been called, the motion carries by electronic vote (58-49).

House Committee Substitute for **S.B. 792**, A BILL TO BE ENTITLED AN ACT TO REQUIRE MANDATORY COMMUNITY SERVICE FOR AN INITIAL CONVICTION OF MAKING FALSE BOMB REPORTS TO A HOSPITAL FACILITY OR USING A FALSE BOMB TO CREATE A SCARE IN A HOSPITAL FACILITY AND TO PROVIDE THAT A SECOND OR SUBSEQUENT CONVICTION OF EITHER OFFENSE IS A CLASS I FELONY, passes its second reading, by electronic vote (84-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for **S.B. 339**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS SUBSTANTIVE AMENDMENTS TO THE INSURANCE LAWS AND OTHER LAWS RELATED TO THE DEPARTMENT OF INSURANCE, passes its second reading by electronic vote (76-0).

Representative Hardaway objects to the third reading. The bill remains on the Calendar.

RE-REFERRALS

On motion of Representative Jack Hunt, Committee Substitute for **S.B. 505**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF WHITSETT IN GUILFORD COUNTY, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Finance.

On motion of Representative Jack Hunt, **S.B. 863**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE STANDARDS LABORATORY AND TO ESTABLISH A FEE SCHEDULE FOR THE STANDARDS LABORATORY, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Finance.

CALENDAR (continued)

House Committee Substitute for **S.B. 716, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO LAWS PERMITTING GRAND JURIES TO INVESTIGATE DRUG-TRAFFICKING CHARGES**, passes its second reading, by electronic vote (72-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Committee Substitute for **S.B. 283, A BILL TO BE ENTITLED AN ACT TO AMEND THE WEIGHTS AND MEASURES ACT**.

Representatives Jordan and Hightower request that they be excused from voting on this bill under Rule 24.1A and this request is granted.

On motion of Representative Dawkins, Committee Amendment No. 2 is adopted.

The bill, as amended, passes its second reading, by electronic vote (76-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendments by Special Message.

S.B. 284, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR CARRYING A WEAPON ON SCHOOL PREMISES, passes its second reading, by electronic vote (83-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 329, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AND CLARIFYING AMENDMENTS TO THE NURSING PRACTICE ACT**.

On motion of Representative Dawkins, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (82-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

H.J.R. 1300, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CARL WILLIAM RULLMAN, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY.

On motion of Representative Huffman, **H.J.R. 1300** is postponed indefinitely by electronic vote (77-0).

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Kennedy for the Committee on Judiciary I:

Committee Substitute for **H.B. 420**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AMENDMENTS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with recommendation that the House concur.

Senate Committee Substitute for **H.B. 821**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADDITIONAL METHOD FOR AN INDIVIDUAL TO DESIGNATE AN ATTORNEY-IN-FACT TO MAKE HEALTH CARE DECISIONS AND TO AMEND THE NATURAL DEATH ACT, with recommendation that the House concur.

S.B. 665, A BILL TO BE ENTITLED AN ACT TO AMEND THE APPLICATION OF G.S. 160A-299 CONCERNING CITIES PERMANENTLY CLOSING STREETS AND ALLEYS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

The House committee substitute bill is placed on the Calendar for July 11. The original bill is placed on the Unfavorable Calendar.

RE-REFERRALS

On motion of Representative Hackney, Committee Substitute for **H.B. 1065**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BOATING SAFETY EDUCATION REQUIREMENT, is withdrawn from the Committee on Finance and re-referred to the Committee on Transportation.

On motion of Representative Hardaway, **H.B. 972**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROVISIONS REGULATING "PREFERRED PROVIDERS", is withdrawn from the Permanent Subcommittee on Financial Institutions and re-referred to the Standing Committee on Commerce.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 738, AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO IMPOSE CONDITIONS AND RESTRICTIONS ON THE SALE OF PROPERTY AND TO MAKE TECHNICAL CORRECTIONS TO THE CHARTER AND IN PENDER COUNTY. (CHAPTER 615)

On motion of Representative Jack Hunt, seconded by Representative Cunningham, the House adjourns at 5:10 p.m. to reconvene July 10 at 1:30 p.m.

ONE HUNDRED FIRST DAY

HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of July 9 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (73-0).

Leaves of absence are granted Representatives Gray, Sam Hunt, Isenhower, and Wainwright for today.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Lutz for the Committee on Local and Regional Government II:

Senate Committee Substitute for H.B. 684, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN CITIES AND COUNTIES TO TAKE INTO CONSIDERATION PROSPECTIVE REVENUES GENERATED BY THE DEVELOPMENT IN ARRIVING AT THE AMOUNT OF CONSIDERATION FOR AN ECONOMIC DEVELOPMENT CONVEYANCE, with recommendation that the House concur.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representative Hege:

H.B. 1311, A BILL TO BE ENTITLED AN ACT TO ESTABLISH HOUSE OF REPRESENTATIVES DISTRICTS AND TO APPORTION SEATS IN THE HOUSE OF REPRESENTATIVES AMONG DISTRICTS, is referred to the Committee on Legislative and Local Redistricting.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 9, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on Committee Substitute for H.B. 1073, A BILL TO BE ENTITLED

AN ACT TO MAKE CERTAIN CHANGES IN BALLOT INSTRUCTIONS AND BALLOT FORMAT.

Pursuant to your message that your Honorable Body adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 9, 1991

Mr. Speaker:

Pursuant to your message received July 9 that the House of Representatives fails to concur in Senate Committee Substitute for H.B. 190, A BILL TO BE ENTITLED AN ACT ALLOWING JUDGMENT FOR EQUITABLE DISTRIBUTION TO BE ENTERED PRIOR TO ENTRY OF A DIVORCE DECREE IN CERTAIN CASES AND TO CLARIFY EQUITABLE DISTRIBUTIONS RELATED TO A PROFESSIONAL PRACTICE, and requests conferees, the President Pro Tempore appoints: Senator Sands, Chairman; Senators Winner, Cooper, and Hartsell on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 9, 1991

Mr. Speaker:

Pursuant to your message received July 9 that the House of Representatives fails to concur in Committee Substitute No. 2 for H.B. 904, A BILL TO BE ENTITLED AN ACT TO REGULATE THE SALE OF MOTOR VEHICLES BY MOTOR VEHICLE DEALERS, and requests conferees, the President Pro Tempore appoints: Senator Goldston, Chairman; Senators Daniel and Smith on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 9, 1991

Mr. Speaker:

Pursuant to your message received July 9 that the House of Representatives fails to concur in Senate Committee Substitute No. 2 for H.B. 757, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DUNN TO IMPOSE FACILITY FEES, and requests conferees, the President Pro Tempore appoints: Senator Sherron, Chairman; Senators Johnson, Staton, Daniel, and Lee on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 10, 1991

Mr. Speaker:

Pursuant to your message received July 9 that the House of Representatives fails to concur in Senate Committee Substitute for H.B. 1107, A BILL TO BE ENTITLED AN ACT TO ALLOW PETS IN HOTEL ROOMS AT THE INNKEEPER'S PREROGATIVE, and requests conferees, the President Pro Tempore appoints: Senator Soles, Chairman; Senators Odom, Blackmon, and Murphy on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 9, 1991

Mr. Speaker:

It is ordered that a message be sent your Honorable Body notifying you of the confirmation by the Senate of the following Governor's appointee to the State Personnel Commission, as directed by General Statute 126-2(b), for a term beginning immediately, and expiring June 30, 1993: Mr. Hal L. Scott.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

Senate Committee Substitute for **H.B. 86**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES AND COUNTIES TO IMPOSE AN AVAILABILITY FEE FOR SOLID WASTE DISPOSAL FACILITIES AND TO BILL AND COLLECT THE FEE IN THE SAME MANNER AS PROPERTY TAXES, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 11.

H.B. 673, A BILL TO BE ENTITLED AN ACT TO CORRECT A TYPOGRAPHICAL ERROR IN THE LAW PROVIDING FOR AN EXEMPTION FROM THE DEFINITION OF THE PRACTICE OF DENTISTRY FOR SUPERVISED NURSE ANESTHETISTS INVOLVED IN THE ADMINISTRATION OF ANESTHESIA, is returned for concurrence in Senate amendment, which changes the title, and placed on the Calendar for July 11.

H.J.R. 1305, A JOINT RESOLUTION HONORING THE MEMORY OF THE EARLY SCOTTISH SETTLERS OF NORTH CAROLINA WHO HAVE MADE SIGNIFICANT CONTRIBUTIONS TO THE GROWTH OF THIS STATE AND COUNTRY ON THE OCCASION OF THE 1991 GRANDFATHER MOUNTAIN HIGHLAND GAMES, is returned for concurrence in Senate amendment and placed on the Calendar for July 11.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Greenwood for the Committee on Pensions and Retirement:

S.B. 292, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE DISABILITY INCOME PLAN OF NORTH CAROLINA, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Hardaway for the Committee on Commerce:

H.B. 972, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROVISIONS REGULATING "PREFERRED PROVIDERS", with an indefinite postponement report.

CALENDAR

Action is taken on the following:

H.B. 491, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL.

On motion of Representative Diamont, the House concurs in the material Senate amendment on its second roll call reading by the following vote.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnhill, Beall, Black, Bowie, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Gardner, Gist, Grady, Green, Greenwood, Hackney, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, Hurley, Jarrell, Jeffus, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Rhodes, Rhyme, Robinson, Rogers, Russell, Smith, Stewart, Warner, Wilson, Wood, and Woodard - 84.

Voting in the negative: None.

Excused absences: Representatives Gray, Sam Hunt, Isenhower, and Wainwright - 4.

The bill remains on the Calendar for concurrence in Senate amendment on its third roll call reading.

Senate Committee Substitute for House Committee Substitute for H.B. 80, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A REGIONAL TRANSPORTATION AUTHORITY TO LEVY A VEHICLE REGISTRATION TAX.

On motion of Representative Lineberry, consideration of the bill is postponed until July 11.

H.B. 398, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE JUDGES TO MAKE INTERIM ALLOCATIONS OF ASSETS PENDING A FINAL EQUITABLE DISTRIBUTION JUDGMENT.

On motion of Representative Hackney, the House concurs in the Senate amendment, which changes the title, by electronic vote (82-1), and the bill is ordered enrolled.

Committee Substitute for H.B. 420, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AMENDMENTS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative Kennedy, the House concurs in the Senate amendment, which changes the title, by electronic vote (83-0), and the bill is ordered enrolled.

Senate Committee Substitute for H.B. 821, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADDITIONAL METHOD FOR AN INDIVIDUAL TO DESIGNATE AN ATTORNEY-IN-FACT TO MAKE HEALTH CARE DECISIONS AND TO AMEND THE NATURAL DEATH ACT.

On motion of Representative Holt, the House concurs in the Senate committee substitute, by electronic vote (88-1), and the bill is ordered enrolled.

Committee Substitute No. 2 for **S.B. 534, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF COLUMBUS TO LEVY A ROOM OCCUPANCY TAX**, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Brown, Buchanan, Chapin, Church, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Flaherty, Foster, Fussell, Gardner, Gist, Gottovi, Grady, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Howard, Huffman, Judy Hunt, Hurley, James, Jarrell, Jeffus, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Pope, Privette, Ramsey, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 86.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Gray, Isenhower, and Wainwright- 3.

House Committee Substitute for **S.B. 339, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS SUBSTANTIVE AMENDMENTS TO THE INSURANCE LAWS AND OTHER LAWS RELATED TO THE DEPARTMENT OF INSURANCE**, passes its third reading, by electronic vote (95-0), and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 284, AN ACT TO INCREASE THE PENALTY FOR CARRYING A WEAPON ON SCHOOL PREMISES. (CHAPTER 622)

S.B. 450, AN ACT TO PROVIDE FOR THE CERTIFICATION OF WATER POLLUTION CONTROL SYSTEM OPERATORS BY EXPANDING THE FUNCTIONS OF THE WASTEWATER TREATMENT PLANT OPERATORS CERTIFICATION COMMISSION AND TO RENAME THE COMMISSION AS THE WATER POLLUTION CONTROL SYSTEM OPERATORS CERTIFICATION COMMISSION. (CHAPTER 623)

H.B. 20, AN ACT TO PROVIDE FOR A MORE EFFICIENT AND EQUITABLE PROCEDURE FOR ASSESSING AND COLLECTING LOCAL AD VALOREM PROPERTY TAXES ON CERTAIN MOTOR VEHICLES. (CHAPTER 624)

H.B. 193, AN ACT TO ALLOW CURRITUCK COUNTY TO ESTABLISH A SPECIAL LEASH LAW DISTRICT, APPLY A LEASH LAW WITHIN THAT DISTRICT, AND LEVY A TAX IN THAT DISTRICT FOR ENFORCEMENT OF THE LEASH LAW. (CHAPTER 625)

H.B. 450, AN ACT TO UPDATE AND CLARIFY THE TRADE-MARK REGISTRATION ACT. (CHAPTER 626)

H.B. 482, AN ACT TO REWRITE THE LAWS ON THIRD PARTY ADMINISTRATORS. (CHAPTER 627)

H.B. 852, AN ACT TO MAKE UNLAWFUL THE SALE OF CIGARETTES, CIGARETTE WRAPPING PAPERS, AND SMOKELESS TOBACCO PRODUCTS TO ANY PERSON WHO IS LESS THAN EIGHTEEN YEARS OLD. (CHAPTER 628)

H.B. 924, AN ACT TO REQUIRE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO DETERMINE WHETHER A PROPOSED AIR QUALITY PERMIT IS CONSISTENT WITH LOCAL ZONING AND SUBDIVISION ORDINANCES. (CHAPTER 629)

H.B. 1037, AN ACT TO REFORM THE SMALL EMPLOYER GROUP ACCIDENT AND HEALTH INSURANCE MARKETPLACE IN THE STATE OF NORTH CAROLINA. (CHAPTER 630)

H.J.R. 1302, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF SIPPION BURTON, JR., CIVIL RIGHTS LEADER. (RESOLUTION 23)

CALENDAR (continued)

House Committee Substitute for **S.B. 828**, A BILL TO BE ENTITLED AN ACT TO REORGANIZE THE LANGUAGE OF A STATUTE IN ORDER TO MAKE THE STATUTE MORE READABLE AND TO PERMIT PUBLIC SCHOOL EMPLOYEES TO AUTHORIZE THE PERIODIC DEDUCTION FROM THEIR SALARIES OF PAYMENTS TO THE EMPLOYEES' ASSOCIATION.

Representative Mavretic offers Amendment No. 1.

On motion of Representative Nesbitt, seconded by Representative Michaux, Amendment No. 1 is tabled by electronic vote (59-49).

Representative Mavretic offers Amendment No. 2.

On motion of Representative Hensley, seconded by Representative Ethridge, Amendment No. 2 is tabled by electronic vote (58-45).

Representative Mavretic offers Amendment No. 3.

REPRESENTATIVE WICKER, HOUSE MAJORITY LEADER, PRESIDING.

On motion of Representative Hensley, seconded by Representative Fletcher, Amendment No. 3 is tabled by electronic vote (58-47).

Representative Mavretic offers Amendment No. 4.

Representative Michaux moves, seconded by Representative Barnes, that Amendment No. 4 do lie upon the table. This motion fails by electronic vote (51-55).

Representative Mavretic calls the previous question on Amendment No. 4 and the call is sustained.

Amendment No. 4 fails of adoption by electronic vote (48-61).

Representative R. Hunter calls the previous question on the passage of the bill.

Representative Pope moves that the call for the previous question be postponed indefinitely. This motion fails by electronic vote (39-71).

The call for the previous question on the passage of the bill is sustained.

The bill passes its second reading by electronic vote (72-40).

Representative Mavretic objects to the third reading. The bill remains on the Calendar.

CONFERENCE REPORT

Representative Stewart sends forth the following Conference Report and moves its adoption.

Senate Committee Substitute for H.B. 757

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on H.B. 757, Fourth Edition, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DUNN TO IMPOSE FACILITY FEES, Senate Finance Committee Substitute #2 Adopted 7/2/91,

wish to report as follows: The House concurs in the Senate Committee Substitute (Fourth Edition), with the following amendment:

on page 2, line 19, by adding after the word "limits", the phrase "and within its extraterritorial jurisdiction".

And the Senate agrees to the same.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 10th day of July, 1991.

*Conferees for the
Senate*

S/ J. K. Sherron, Jr.
S/ George B. Daniel
S/ Joseph E. Johnson
S/ Howard N. Lee
S/ William W. Staton

*Conferees for the
House of Representatives*

S/ C. P. Stewart
S/ John R. Gamble
S/ Herman Colridge Gist

The Conference Report is adopted, by electronic vote (78-0), and the Senate is so notified by Special Message.

RE-REFERRAL

On motion of Representative Ramsey, **S.B. 425, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE PERSONNEL COMMISSION TO ADOPT RULES FOR DISCIPLINARY ACTIONS**, is withdrawn from the Committee on Public Employees and re-referred to the Committee on Judiciary II.

SUSPENSION OF RULES TO PLACE ON CALENDAR

On motion of Representative Kerr, the rules are suspended and **H.J.R. 1305, A JOINT RESOLUTION HONORING THE MEMORY OF THE EARLY SCOTTISH SETTLERS OF NORTH CAROLINA WHO HAVE MADE SIGNIFICANT CONTRIBUTIONS TO THE GROWTH OF THIS STATE AND COUNTRY ON THE OCCASION OF THE 1991 GRANDFATHER MOUNTAIN HIGHLAND GAMES**, is withdrawn from the Calendar for July 11 and placed on the Calendar for immediate consideration.

SPEAKER BLUE PRESIDING.

CALENDAR (continued)

H.J.R. 1305, A JOINT RESOLUTION HONORING THE MEMORY OF THE EARLY SCOTTISH SETTLERS OF NORTH CAROLINA WHO HAVE MADE SIGNIFICANT CONTRIBUTIONS TO THE GROWTH OF THIS STATE AND COUNTRY ON THE OCCASION OF THE 1991 GRANDFATHER MOUNTAIN HIGHLAND GAMES.

On motion of Representative Kerr, the House concurs in the Senate Amendment, by electronic vote (73-0), and the bill is ordered enrolled.

CONFERENCE REPORT

Representative Payne sends forth the following Conference Report and moves its adoption.

Senate Committee Substitute for H.B. 1107

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on **H.B. 1107, A BILL TO BE ENTITLED AN ACT TO ALLOW PETS IN HOTEL ROOMS AT THE INNKEEPER'S PREROGATIVE**, Third Edition, **SENATE JUDICIARY I COMMITTEE SUBSTITUTE ADOPTED 6/11/91,**

wish to report as follows:

The House concurs in the Senate Committee Substitute (Third Edition) with the following amendments:

on page 1, line 10, add the following sentence immediately after the word "rooms.": "Persons bringing pets into a room in which they are

not permitted are in violation of this section and punishable according to subsection (d) of this section."; and

on page 1, line 11, by inserting the word "allowing" immediately after the word "Innkeepers"; and

on page 1, line 12, by deleting the phrase "whether or not"; and

on page 1, line 18, by rewriting that line to read: "(c) All sleeping rooms in which the innkeeper permits pets must contain a"; and on page 1, line 20, by adding the word "that" immediately after the word "stating"; and

on page 1, line 21, by deleting the word "whether" immediately before the word "pets" and by deleting the phrase "or prohibited";

And the Senate agrees to the same.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 10th day of JULY, 1991.

*Conferees for the
Senate*

S/ R.C. Soles, Jr.
S/ T. LaFontaine Odom
S/ John G. Blackmon
S/ Wendell Murphy

*Conferees for the
House of Representatives*

S/ Harry E. Payne, Jr.
S/ Robert Grady
S/ Karen E. Gottovi
S/ Aaron E. Fussell

The Conference Report is adopted, by electronic vote (80-4), and the Senate is so notified by Special Message.

CONFERENCE REPORT

Representative Hardaway sends forth the following Conference Report and moves its adoption.

Committee Substitute for S.B 688

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on S.B. 688, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE STACKING OF UNINSURED AND UNDERINSURED MOTORIST COVER-AGE, Fourth Edition Engrossed 6/27/91,

wish to report as follows:

The Senate concurs in the Fourth Edition Engrossed, and the House and Senate agree to the following amendments:

on page 6, line 43, by adding between the words "policy" and "and" the phrase "or policies";

and on page 7, lines 3-16, by rewriting those lines to read: "involved in the accident. Furthermore, if a claimant is an insured

under the underinsured motorist coverage on separate or additional policies, the limit of underinsured motorist coverage applicable to the claimant is the difference between the amount paid to the claimant under the exhausted liability policy or policies and the total limits of the claimant's underinsured motorist coverages as determined by combining the highest limit available under each policy; Provided provided that this paragraph";

and on page 7, line 19, by adding at the end of the line the following sentence:

"The underinsured motorist limits applicable to any one motor vehicle under a policy shall not be combined with or added to the limits applicable to any other motor vehicle under that policy."

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 10th day of July, 1991.

*Conferees for the
Senate*

S/ Alexander P. Sands, III
S/ John G. Blackmon
S/ T. LaFontine Odom
S/ Mary P. Seymour
S/ R. C. Soles, Jr.

*Conferees for the
House of Representatives*

S/ Thomas C. Hardaway
S/ Joe Hackney
S/ Martin L. Nesbitt, Jr.
S/ Harry E. Payne, Jr.
S/ E. David Redwine
S/ Peggy M. Stamey
S/ Dennis A. Wicker

The Conference Report is adopted, by electronic vote (89-0), and the Senate is so notified by Special Message.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representatives Bowen, Fitch, and Sam Hunt for the Committee on Legislative and Local Redistricting:

H.B. 1303, A BILL TO BE ENTITLED AN ACT TO ESTABLISH HOUSE OF REPRESENTATIVES DISTRICTS AND TO APPORTION SEATS IN THE HOUSE OF REPRESENTATIVES AMONG DISTRICTS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

On motion of Representative Fitch, the rules are suspended and the committee substitute bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1309, A BILL TO BE ENTITLED AN ACT TO IMPROVE ELECTION ADMINISTRATION BY ALLOWING CHANGES IN SUPERIOR COURT JUDICIAL DISTRICT BOUNDARIES TO REFLECT CHANGES IN PRECINCT BOUNDARIES SINCE ENACTMENT OF THE PLAN, with a favorable report as to committee substitute bill, unfavorable as to original bill.

The committee substitute bill is placed on the Calendar for July 12. The original bill is placed on the Unfavorable Calendar.

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 888, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA AQUARIUMS COMMISSION AND AQUARIUM ENTRANCE FEES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of Representative Hackney, the rules are suspended and the committee substitute bill is placed on the Calendar for July 11. The original bill is placed on the Unfavorable Calendar.

H.B. 1255, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR UNIFORM SALES TAX TREATMENT OF GOVERNMENT PURCHASES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of Representative Hackney, the rules are suspended and the committee substitute bill is placed on the Calendar for July 11. The original bill is placed on the Unfavorable Calendar.

House Committee Substitute for **S.B. 91, A BILL TO BE ENTITLED AN ACT TO CREATE A SAVINGS BANK CHARTER IN NORTH CAROLINA**, with a favorable report, as amended.

S.B. 263, A BILL TO BE ENTITLED AN ACT TO EXTEND THE PROPERTY TAX EXCLUSION FOR HISTORIC PRESERVATION PROPERTY TO INCLUDE LAND HELD AS A SITE TO WHICH AN HISTORIC BUILDING WILL BE MOVED, with a favorable report.

House Committee Substitute No. 1 for **S.B. 426, A BILL TO BE ENTITLED AN ACT TO REVISE AND RECODIFY AS CHAPTER 10A THE STATUTES RELATING TO NOTARIES**, with a favorable as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

On motion of Representative Hackney, the rules are suspended and Committee Substitute Bill No. 2 is placed on the Calendar for July 11. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 505, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF WHITSETT IN GUILFORD COUNTY**, with a favorable report.

S.B. 508, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FEE FOR FEED TESTING, with a favorable report.

Committee Substitute No. 2 for **S.B. 565, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE POPLAR TENT BEAUTIFICATION DISTRICT IN CABARRUS COUNTY, TO PROVIDE FOR LAND USE PLANNING IN THE DISTRICT, AND TO MAKE SEVERAL LOCAL MODIFICATIONS APPLICABLE WITHIN CABARRUS COUNTY**, with a favorable report.

Committee Substitute for **S.B. 580**, A BILL TO BE ENTITLED AN ACT AUTHORIZING DURHAM COUNTY TO INCREASE ITS ROOM OCCUPANCY TAX FROM THREE PERCENT TO FIVE PERCENT AND PROVIDING FOR THE USE OF THE PROCEEDS OF THE TAX, with a favorable report.

S.B. 685, A BILL TO BE ENTITLED AN ACT TO PROVIDE NOTICE TO EACH SECURED PARTY OR OTHER PERSON CLAIMING AN INTEREST IN A MOTOR VEHICLE, WHEN THE HOLDER OF A LIEN ASSERTS HIS LIEN AND PROPOSES SALE OF THE MOTOR VEHICLE TO SATISFY THE LIEN, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of Representative Hackney, the rules are suspended and the House committee substitute bill is placed on the Calendar for July 11. The original bill is placed on the Unfavorable Calendar.

S.B. 733, A BILL TO BE ENTITLED AN ACT TO QUALIFY THE STATE FOR FUNDING UNDER THE FEDERAL FARMS FOR THE FUTURE ACT, with a favorable report, as amended.

Committee Substitute for **S.B. 935**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MARRIAGE LICENSE FEE AND TO CREATE THE DOMESTIC VIOLENCE CENTER FUND, with a favorable report, as amended.

Committee Substitute for **S.B. 943**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF WATER WITHDRAWALS AND TRANSFERS OF ONE MILLION GALLONS OR MORE PER DAY, with a favorable report.

RE-REFERRALS

On motion of Representative Jack Hunt, **S.B. 694**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MANDATORY CERTIFICATION OF CLINICAL SOCIAL WORKERS, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Finance.

On motion of Representative Jack Hunt, **S.B. 433**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CHATHAM, NASH, PITT, SWAIN, GRAHAM, AND CLAY COUNTIES TO IMPOSE AN AVAILABILITY FEE FOR SOLID WASTE DISPOSAL FACILITIES AND TO BILL AND COLLECT THE FEE IN THE SAME MANNER AS PROPERTY TAXES AND TO AUTHORIZE CASWELL COUNTY TO HOLD A REFERENDUM ON LONG-TERM SOLID WASTE OPTIONS, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Environment.

On motion of Representative Jack Hunt, **S.B. 402**, A BILL TO BE ENTITLED AN ACT GIVING STUDENTS AT THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA ACCESS TO THE STATE TELEPHONE NETWORK AND TO CLARIFY THE AUTHORITY OF STATE EDUCATIONAL

INSTITUTIONS TO PROVIDE CERTAIN TELEPHONE SERVICES, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Appropriations.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Hightower for the Permanent Subcommittee on Hazardous Waste of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

Committee Substitute for **S.B. 451**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE INVESTIGATION AND ENFORCEMENT OF CRIMES AGAINST THE ENVIRONMENT, TO DECLARE UNLAWFUL DISCHARGES TO BE CRIMES AND TO ESTABLISH A THREE-YEAR STATUTE OF LIMITATION FOR THE COLLECTION OF CERTAIN ENVIRONMENTAL CIVIL PENALTIES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for July 12. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representative DeVane, Chairman for the Standing Committee on Environment, refers:

S.B. 433, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CHATHAM, NASH, PITT, SWAIN, GRAHAM, AND CLAY COUNTIES TO IMPOSE AN AVAILABILITY FEE FOR SOLID WASTE DISPOSAL FACILITIES AND TO BILL AND COLLECT THE FEE IN THE SAME MANNER AS PROPERTY TAXES AND TO AUTHORIZE CASWELL COUNTY TO HOLD A REFERENDUM ON LONG-TERM SOLID WASTE OPTIONS, to the Permanent Subcommittee on Water, Air and Soil.

On motion of the Chair the House recesses at 4:28 p.m.

RECESS

The House meets at 7:30 p.m. pursuant to recess and is called to order by Speaker Blue.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 10, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on Senate Committee Substitute for **H.B. 54**, A BILL TO BE

ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE STATUTES RELATING TO CREDIT UNIONS AND TO INCREASE THE PENALTY FOR SUBMITTING LATE REPORTS TO THE ADMINISTRATOR OF CREDIT UNIONS, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 10, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on Senate Committee Substitute No. 2 for H.B. 757, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DUNN TO IMPOSE FACILITY FEES, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 10, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on Senate Committee Substitute for H.B. 1107, A BILL TO BE ENTITLED AN ACT TO ALLOW PETS IN HOTEL ROOMS AT THE INNKEEPER'S PREROGATIVE, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 10, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees

on House Committee Substitute for S.B. 688, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE STACKING OF UNINSURED AND UNDERINSURED MOTORIST COVERAGE, to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 10, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on House Committee Substitute for S.B. 778, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING THE EXECUTION OF CORPORATE INSTRUMENTS, to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

Committee Substitute No. 2 for S.B. 700, A BILL TO BE ENTITLED AN ACT ESTABLISH THE CERTIFIED INTERIOR DESIGNERS TITLE REGISTRATION ACT, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute for H.B. 18, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL BOARDS OF HEALTH TO ADOPT BY REFERENCE RULES OF THE ENVIRONMENTAL MANAGEMENT COMMISSION CONCERNING WELLS OR TO ADOPT MORE STRINGENT RULES, is returned for concurrence in Senate amendment and placed on the Calendar for July 11.

H.B. 425, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE HEALTH CARE PERSONNEL TO PROVIDE VOLUNTEER MEDICAL SERVICES AT LOCAL HEALTH DEPARTMENTS AND NONPROFIT COMMUNITY HEALTH CENTERS BY PROVIDING FOR LIMITED TORT LIABILITY PROTECTION, is returned for concurrence in Senate amendment and placed on the Calendar for July 11.

CONFERENCE REPORT

Representative Brubaker sends forth the following Conference Report and moves its adoption.

Committee Substitute for H.B. 54

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on H.B. 54, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE STATUTES RELATING TO CREDIT UNIONS AND TO INCREASE THE PENALTY FOR SUBMITTING LATE REPORTS TO THE ADMINISTRATOR OF CREDIT UNIONS, Fourth Edition engrossed 6/13/91

wish to report as follows: The House concurs in the Senate Committee Substitute (Fourth Edition Engrossed) with the following amendments:

- (1) On page 2, line 1, by deleting the phrase "fifty dollars (\$50.00)" and substituting the phrase "seventy-five dollars (\$75.00)"; and
- (2) On page 3, lines 29-32, by rewriting the lines to read:
~~"bylaws, or who habitually neglects to pay his debts, or shall become insolvent or bankrupt. The members at a regularly called meeting may expel from the corporation any member who has become intemperate or in any way financially irresponsible; no bylaws. The Board may, after notice and hearing as provided in this subdivision, expel from the corporation any member who because of the member's intemperance disrupts the activities of the credit union or who because of the member's habitual neglect of financial obligations reflects discredit upon the credit union."~~

And the Senate agrees to the same.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 10th day of July, 1991.

*Conferees for the
Senate*

S/ William W. Staton
S/ Robert C. Carpenter
S/ Ed N. Warren

*Conferees for the
House of Representatives*

S/ Harold J. Brubaker
S/ Ray C. Fletcher
S/ Thomas C. Hardaway

The Conference Report is adopted, by electronic vote (80-0), and the Senate is so notified by Special Message.

The Speaker orders the bill enrolled.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representatives Hackney and Miller for the Committee on Finance:

S.B. 108, A BILL TO BE ENTITLED AN ACT TO IMPROVE ADMINISTRATION OF THE SALES AND USE TAX BY INCREASING THE LICENSE TAXES, ALLOWING MORE SMALL RETAILERS TO FILE QUARTERLY SALES TAX RETURNS, AND EXTENDING THE LIMITATIONS PERIOD FOR ENFORCING LIABILITY AGAINST CERTAIN TRANSFEREES AND CORPORATE OFFICERS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

The rules are suspended and the House committee substitute bill is placed on the Calendar for July 11. The original bill is placed on the Unfavorable Calendar.

By Representative Stamey for the Committee on Transportation:

Senate Committee Substitute for **H.B. 402**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE DIVISION OF MOTOR VEHICLES TO CORRECT ITS RECORDS USING FORWARDING ADDRESSES FURNISHED BY THE POSTAL SERVICE AND TO REQUIRE MOTOR VEHICLE EXHAUST SYSTEMS TO BE INSPECTED, with recommendation that the House concur.

S.B. 274, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SALE OF SURPLUS RIGHT-OF-WAY BY THE DEPARTMENT OF TRANSPORTATION, with a favorable report.

Committee Substitute for **S.B. 707**, A BILL TO BE ENTITLED AN ACT TO PROVIDE PROCEDURES FOR THE RETURN OF CONDEMNED PROPERTY, with a favorable report.

CALENDAR (continued)

Committee Substitute for **H.B. 1303**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH HOUSE OF REPRESENTATIVES DISTRICTS AND TO APPORTION SEATS IN THE HOUSE OF REPRESENTATIVES AMONG DISTRICTS.

Representative Pope offers Amendment No. 1 which fails of adoption by electronic vote (33-71).

Representative Decker offers Amendment No. 2 which fails of adoption by electronic vote (31-77).

Representative Flaherty offers Amendment No. 3 which fails of adoption by electronic vote (31-74).

Representative Hasty offers Amendment No. 4.

Representative Hasty calls the previous question on the amendment.

Representative DeVane moves that the call for the previous question be postponed indefinitely.

Representative DeVane withdraws the motion to postpone indefinitely the call for the previous question.

The question before the House is the call for the previous question on Amendment No. 4 and the call is sustained.

Amendment No. 4 fails of adoption by electronic vote (25-75).

Representative Jones offers Amendment No. 5.

Representative Jones calls the previous question on Amendment No. 5 and the call is sustained.

Amendment No. 5 fails of adoption by electronic vote (37-57).

Representative Pope offers Amendment No. 6 which fails of adoption by electronic vote (36-72).

Representative Hege offers Amendment No. 7 which fails of adoption by electronic vote (30-65).

Representative Wilson offers Amendment No. 8.

Representative Wilson calls the previous question on Amendment No. 8.

Representative Sam Hunt moves that the call for the previous question be postponed indefinitely.

Representative Sam Hunt withdraws the motion to postpone indefinitely the call for the previous question.

The question before the House is the call for the previous question on Amendment No. 8 and the call is sustained.

Amendment No. 8 fails of adoption by electronic vote (32-74).

Representative Gist offers Amendment No. 9. which fails of adoption by electronic vote (16-84).

The bill passes its second reading by electronic vote (78-33).

Representatives Rhyne and Pope object to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 776, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SIX MEMBERS OF THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION SHALL BE ELECTED FROM DISTRICTS, AND THREE SHALL BE ELECTED AT LARGE.**

Representative Kennedy offers Amendment No. 1.

Representative Esposito moves that the bill and pending amendment be withdrawn from tonight's Calendar and placed on the Calendar for July 11.

Responding to inquiry by Representative Decker, the Speaker rules that the content of the amendment is covered by the title and is therefore in order.

The question before the House is the motion to withdraw the bill and pending amendment from tonight's Calendar and place on the Calendar for July 11. A division having been called, the motion fails by electronic vote (49-50).

Representative Rhyné moves, seconded by Representative Flaherty, that subject to notices and announcements that the House do now adjourn to reconvene July 11 at 1:30 p.m. This motion carries.

The House adjourns at 9:45 p.m. to reconvene July 11 at 1:30 p.m.

ONE HUNDRED SECOND DAY

HOUSE OF REPRESENTATIVES

Thursday, July 11, 1991

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of July 10 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (88-0).

Leaves of absence are granted Representatives Isenhowser and Wainwright for today.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representative Jack Hunt:

H.J.R. 1312, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1991 GENERAL ASSEMBLY TO MEET IN 1992, AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION, is referred to the Committee on Rules, Appointments and Calendar.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 684**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN CITIES AND COUNTIES TO TAKE INTO CONSIDERATION PROSPECTIVE REVENUES GENERATED BY THE DEVELOPMENT IN ARRIVING AT THE AMOUNT OF CONSIDERATION FOR AN ECONOMIC DEVELOPMENT CONVEYANCE.

On motion of Representative Creech, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Dawkins for the Committee on Judiciary II:

Senate Committee Substitute for H.B. 479, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONSENT TO ADOPTION IS NOT REVOCABLE AFTER A CERTAIN PERIOD OF TIME AND TO AMEND THE PROCEDURES REGARDING LEGITIMATION OF CHILDREN, with recommendation that the House concur.

S.B. 392, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE TIME PERIOD FOR RENOUNCING A FUTURE INTEREST UNDER G. S. 31B-2 MAY DIFFER FROM THE TIME PERIOD FOR A QUALIFIED DISCLAIMER FOR FEDERAL ESTATE TAX PURPOSES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Committee Substitute for S.B. 395, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE TERMINATION OF INEFFICIENT SMALL TRUSTS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

On motion of Representative Dawkins, the rules are suspended and the House committee substitute bill is placed on the Calendar for July 12. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for S.B. 425, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE PERSONNEL COMMISSION TO ADOPT RULES FOR DISCIPLINARY ACTIONS, with a favorable report.

S.B. 655, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RESPECTIVE RESPONSIBILITIES OF THE COUNTIES AND OF THE STATE FOR THE EXPENSES INCURRED IN JURY SELECTION, with a favorable report.

S.B. 670, A BILL TO BE ENTITLED AN ACT AUTHORIZING WILDLIFE PROTECTORS TO ASSIST IN THE ENFORCEMENT OF LAWS WHEN A CRIME HAS BEEN COMMITTED IN THEIR PRESENCE OR WHEN A STATE OR LOCAL LAW ENFORCEMENT OFFICER HAS REQUESTED THEIR ASSISTANCE, with a favorable report, as amended.

Committee Substitute for S.B. 678, A BILL TO BE ENTITLED AN ACT TO ESTABLISH PENALTIES FOR THE CRIMINALLY NEGLECTFUL USE OF A FIREARM WHILE HUNTING, with a favorable report.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative J. W. Crawford for the Permanent Subcommittee on Water, Air and Soil of the Standing Committee on Environment, with approval of standing committee chairman for report to be made directly to the floor of the House:

Committee Substitute for S.B. 433, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CHATHAM, NASH, PITT, SWAIN, GRAHAM, AND CLAY COUNTIES TO IMPOSE AN AVAILABILITY FEE FOR SOLID WASTE DISPOSAL FACILITIES AND TO BILL AND COLLECT THE FEE IN THE SAME MANNER AS PROPERTY TAXES AND TO AUTHORIZE CASWELL COUNTY TO HOLD A REFERENDUM ON LONG-TERM SOLID WASTE OPTIONS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for July 13. The Senate committee substitute bill is placed on the Unfavorable Calendar.

CONFERENCE REPORT

Representative Kerr sends forth the following Conference Report and moves its adoption.

Committee Substitute for S.B. 778

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on S.B. 778, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING THE EXECUTION OF CORPORATE INSTRUMENTS, House Committee Substitute Favorable 6/20/91

wish to report as follows:

The Senate concurs in the House Committee Substitute Favorable 6/20/91, and the Senate and House agree to the following amendments:

on page 1, line 15, by rewriting the line to read:

“§ 47-18.3. Execution of corporate instruments; authority and proof.”;

and on page 1, line 20, by rewriting the line to read:

“executive officer, a vice-president or an assistant vice-president, treasurer, or chief financial”;

and on page 3, line 2, by rewriting the line to read:

“president, chief executive officer, a vice-president or an assistant vice-president, treasurer, or”;

and on page 3, line 31, by rewriting the line to read:

“vice-president, treasurer, or chief financial officer”.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 11th day of July, 1991.

*Conferees for the
Senate*

S/ Roy A. Cooper, III
 S/ Joseph E. Johnson
 S/ R. C. Soles, Jr.

*Conferees for the
House of Representatives*

S/ John H. Kerr, III
 S/ Robert J. Hensley, Jr.
 S/ Larry M. Jordan

The Conference Report is adopted, by electronic vote (91-0), and the Senate is so notified by Special Message.

CONFERENCE REPORT

Representative Kerr sends forth the following Conference Report and moves its adoption.

H.B. 904

To: THE PRESIDENT OF THE SENATE AND
 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on **H.B. 904**, A BILL TO BE ENTITLED AN ACT TO REGULATE THE SALE OF MOTOR VEHICLES BY MOTOR VEHICLE DEALERS, (3rd Edition) as amended, submit the following report:

(1) The House concurs in Senate Amendment # 1 with the following change and the Senate agrees to the change:

In Senate Amendment # 1, change the phrase "House Bill 330, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF MOTOR VEHICLE DEALER, Chapter___" to the phrase "Chapter 527".

(2) The House and Senate agree on the following additional amendments:

on page 6, line 31, by rewriting that line to read:

"Sec. 3. G.S. 20-288, as amended by Chapter 495 of the 1991 Session Laws, reads as rewritten:";

and on page 7, line 14, by changing "~~fifteen thousand dollars (\$15,000)~~" to "~~twenty five thousand dollars (\$25,000)~~";

and on page 7, line 15, by changing "~~five thousand dollars (\$5,000)~~" to "~~ten thousand dollars (\$10,000)~~";

and on page 7, lines 17 and 18 and lines 20 and 21, by changing "~~fifteen thousand dollars (\$15,000)~~" to "~~twenty five thousand dollars (\$25,000)~~";

and on page 7, lines 18 and 19 and lines 21 and 22, by changing "~~five thousand dollars (\$5,000)~~" to "~~ten thousand dollars (\$10,000)~~";

and on page 9, line 21, by rewriting that line to read:

"request of the customer.

This section does not apply to recreational vehicles, house trailers, or boat, animal, camping, or other utility trailers."

The conferees recommend that the Senate and the House of Representatives adopt this report.

July 11, 1991.

*Conferees for the
Senate*

S/ William Goldston
S/ George Daniel
S/ Paul Smith

*Conferees for the
House of Representatives*

S/ John Kerr
S/ Ray Fletcher
S/ Joe Hege

The Conference Report is adopted, by electronic vote (95-0), and the Senate is so notified by Special Message.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

Committee Substitute for **S.B. 62**, A BILL TO BE ENTITLED AN ACT TO APPOINT A PERSON TO FILL A VACANCY ON THE STATE BOARD OF TRANSPORTATION UPON THE RECOMMENDATION OF THE PRESIDENT OF THE SENATE.-3, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for July 13. The Senate committee substitute bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

H.B. 491, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL.

The House concurs in the material Senate amendment on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, Colton, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, R. Hunter, Hurley, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLawhorn, Mavretic, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Withrow, Wood, and Woodard - 101.

Voting in the negative: None.

Excused absences: Representatives Isenhower and Wainwright - 2.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 360, AN ACT TO CHANGE THE DEFINITION OF "IMMINENT HAZARD" AS IT APPLIES TO CHAPTER 130A OF THE GENERAL STATUTES. (CHAPTER 631)

S.B. 534, AN ACT TO AUTHORIZE THE TOWN OF COLUMBUS TO LEVY A ROOM OCCUPANCY TAX. (CHAPTER 632)

S.B. 684, AN ACT TO ENABLE THE BOARD OF CHIROPRACTIC EXAMINERS TO CERTIFY DIAGNOSTIC IMAGING TECHNICIANS EMPLOYED BY CHIROPRACTORS. (CHAPTER 633)

H.B. 132, AN ACT TO REQUIRE NOTICE BY CERTIFIED LETTER OF MEETING AT WHICH DRAINAGE ASSESSMENTS ARE DETERMINED. (CHAPTER 634)

H.B. 398, AN ACT TO AUTHORIZE JUDGES TO MAKE INTERIM ALLOCATIONS OF ASSETS PENDING A FINAL EQUITABLE DISTRIBUTION JUDGMENT AND TO ESTABLISH A REBUTTABLE PRESUMPTION THAT PROPERTY ACQUIRED DURING MARRIAGE IS MARITAL PROPERTY EXCEPT UNDER CERTAIN CIRCUMSTANCES. (CHAPTER 635)

H.B. 420, AN ACT TO MAKE VARIOUS TECHNICAL AMENDMENTS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND TO MAKE TECHNICAL AMENDMENTS TO THE LAWS REGULATING ABSENTEE BALLOTS. (CHAPTER 636)

H.B. 487, AN ACT TO AMEND THE LAW ALLOWING TAX CREDITS FOR QUALIFIED BUSINESS INVESTMENTS. (CHAPTER 637)

H.B. 739, AN ACT TO REQUIRE THAT ANY EXTENSION OF THE CORPORATE LIMITS OF THE TOWN OF HOLDEN BEACH BE SUBJECT TO A REFERENDUM. (CHAPTER 638)

H.B. 821, AN ACT TO ESTABLISH AN ADDITIONAL METHOD FOR AN INDIVIDUAL TO DESIGNATE AN ATTORNEY-IN-FACT TO MAKE HEALTH CARE DECISIONS AND TO AMEND THE NATURAL DEATH ACT. (CHAPTER 639)

H.B. 956, AN ACT TO BAN CORPORAL PUNISHMENT IN DAY-CARE PROGRAMS OTHER THAN CHURCH DAY-CARE PROGRAMS. (CHAPTER 640)

H.B. 1073, AN ACT TO MAKE CERTAIN CHANGES IN BALLOT INSTRUCTIONS AND BALLOT FORMAT. (CHAPTER 641)

H.J.R. 1305, A JOINT RESOLUTION HONORING THE MEMORY OF THE EARLY SCOTTISH SETTLERS OF NORTH CAROLINA WHO HAVE MADE SIGNIFICANT CONTRIBUTIONS TO THE GROWTH OF THIS STATE AND COUNTRY ON THE OCCASION OF THE 1991 GRANDFATHER MOUNTAIN HIGHLAND GAMES. (RESOLUTION 24)

CALENDAR (continued)

Senate Committee Substitute for House Committee Substitute for **H.B. 80, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A REGIONAL TRANSPORTATION AUTHORITY TO LEVY A VEHICLE REGISTRATION TAX.**

Representative Lineberry calls the previous question on the passage of the bill and the call is sustained.

On motion of Representative Lineberry, the House concurs in the material Senate committee substitute bill on its second roll call reading by the following vote.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, DeVane, Dial, Diamont, Easterling, Ethridge, Fletcher, Foster, Gist, Gottovi, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hightower, Holt, Jack Hunt, Judy Hunt, Sam Hunt, R. Hunter, Hurley, James, Jarrell, Jeffus, Jeralds, Jones, Kahl, Kennedy, Kerr, Lilley, Lineberry, Lutz, McAllister, McLaughlin, McLawhorn, Mavretic, Mercer, Michaux, Miller, Nesbitt, Nye, Oldham, Payne, Privette, Ramsey, Redwine, Rhodes, Robinson, Rogers, Smith, Stamey, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Withrow, and Woodard - 81.

Voting in the negative: Representatives Anderson, Balmer, Brubaker, Creech, Decker, Dickson, Dockham, Esposito, Flaherty, Fussell, Gardner, Grady, Hege, Hensley, Holmes, Howard, Huffman, Jordan, Justus, Kimsey, Ligon, Loflin, Luebke, McGee, Morgan, Pope, Rhyne, Russell, Wilson, and Wood - 30.

Excused absences: Representatives Isenhower and Wainwright - 2.

The bill remains on the Calendar for concurrence in Senate committee substitute on its third roll call reading.

Senate Committee Substitute for House Committee Substitute for **H.B. 86, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES AND COUNTIES TO IMPOSE AN AVAILABILITY FEE FOR SOLID WASTE DISPOSAL FACILITIES AND TO BILL AND COLLECT THE FEE IN THE SAME MANNER AS PROPERTY TAXES.**

On motion of Representative Gamble, the House concurs in the Senate committee substitute, by electronic vote (94-6), and the bill is ordered enrolled.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

S.J.R. 964, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CLAUDE KITCHIN JOSEY, FORMER MEMBER OF THE GENERAL ASSEMBLY, is read the first time.

On motion of Representative Hardaway, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

CALENDAR (continued)

H.B. 673, A BILL TO BE ENTITLED AN ACT TO CORRECT A TYPOGRAPHICAL ERROR IN THE LAW PROVIDING FOR AN EXEMPTION FROM THE DEFINITION OF THE PRACTICE OF DENTISTRY FOR SUPERVISED NURSE ANESTHETISTS INVOLVED IN THE ADMINISTRATION OF ANESTHESIA.

On motion of Representative Jack Hunt, the House concurs in the Senate amendment, which changes the title, by electronic vote (86-2), and the bill is ordered enrolled.

RE-REFERRALS

On motion of Representative Jack Hunt, Committee Substitute for **S.B. 640**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COLLEGIATE INSIGNIA REGISTRATION PLATES, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Finance.

On motion of Representative Jack Hunt, **S.B. 338**, A BILL TO BE ENTITLED AN ACT TO RAISE MISCELLANEOUS FEES COLLECTED BY THE DEPARTMENT OF INSURANCE, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Finance.

On motion of Representative Jack Hunt, Committee Substitute No. 2 for **S.B. 432**, A BILL TO BE ENTITLED AN ACT TO CREATE THE SPECIAL INDUSTRIAL COMMISSION FUND FOR THE OPERATION OF THE INDUSTRIAL COMMISSION AND TO DIRECT THAT A PORTION OF THE TAX PAID ON WORKERS' COMPENSATION PREMIUMS BE PAID TO THIS FUND, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Finance.

REPRESENTATIVE COLTON, SPEAKER PRO TEMPORE, PRESIDING.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

Committee Substitute for S.B. 801, A BILL TO BE ENTITLED AN ACT TO FURTHER PROVIDE FOR THE SEPARATION OF POWERS BETWEEN THE LEGISLATIVE AND EXECUTIVE BRANCHES OF GOVERNMENT BY PROVIDING THAT THE PRESIDENT PRO TEMPORE OF THE SENATE RATHER THAN THE LIEUTENANT GOVERNOR SHALL MAKE APPOINTMENTS TO CERTAIN LEGISLATIVE COMMISSIONS AND COMMITTEES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

The House committee substitute bill is placed on the Calendar for July 13. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Stamey for the Committee on Transportation:

Committee Substitute for S.B. 253, A BILL TO BE ENTITLED AN ACT TO MAKE THE RECORDS AND INFORMATION USED IN CONNECTION WITH THE DEPARTMENT OF TRANSPORTATION'S BID ANALYSIS AND MANAGEMENT SYSTEM CONFIDENTIAL, with a favorable report.

Committee Substitute No. 2 for S.B. 472, A BILL TO BE ENTITLED AN ACT TO REVISE THE DRIVERS LICENSE LAW TO HARMONIZE THE COMMERCIAL DRIVERS LICENSE PROVISIONS WITH THE REGULAR DRIVERS LICENSE PROVISIONS, TO CLARIFY THE EFFECT OF A DISQUALIFICATION TO DRIVE A COMMERCIAL MOTOR VEHICLE, AND TO IMPOSE A FEE FOR A MOTORCYCLE ENDORSEMENT, A COMMERCIAL LEARNER'S PERMIT, AND THE RESTORATION OF A LICENSE AFTER DISQUALIFICATION, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Stamey, Committee Amendment No. 1 is adopted.

The bill, as amended, is re-referred to the Committee on Finance.

By Representatives Bowen, Fitch, and Sam Hunt for the Committee on Legislative and Local Redistricting:

Senate Committee Substitute for H.B. 611, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ANY REDISTRICTING BY THE ALEXANDER COUNTY BOARD OF EDUCATION BE BY A TWO-THIRDS VOTE AND TO PROVIDE AN EFFECTIVE DATE FOR COTERMINOUS LINES IN THE GUILFORD COUNTY SCHOOL MERGER REFERENDUM, with recommendation that the House concur.

CALENDAR (continued)

H.B. 425, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE HEALTH CARE PERSONNEL TO PROVIDE VOLUNTEER

MEDICAL SERVICES AT LOCAL HEALTH DEPARTMENTS AND NONPROFIT COMMUNITY HEALTH CENTERS BY PROVIDING FOR LIMITED TORT LIABILITY PROTECTION.

On motion of Representative Dickson, the House concurs in the Senate amendment, by electronic vote (71-0), and the bill is ordered enrolled.

Senate Committee Substitute for H.B. 402, A BILL TO BE ENTITLED AN ACT TO PERMIT THE DIVISION OF MOTOR VEHICLES TO CORRECT ITS RECORDS USING FORWARDING ADDRESSES FURNISHED BY THE POSTAL SERVICE AND TO REQUIRE MOTOR VEHICLE EXHAUST SYSTEMS TO BE INSPECTED.

On motion of Representative Stamey, the House concurs in the Senate committee substitute, by electronic vote (86-0), and the bill is ordered enrolled.

Committee Substitute for S.B. 505, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF WHITSETT IN GUILFORD COUNTY.

Representative Jeffus offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Grady, Gray, Green, Grimmer, Hackney, Hardaway, Hege, Hightower, Holt, Howard, Sam Hunt, R. Hunter, Hurley, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McGee, McLawhorn, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Privette, Redwine, Rhodes, Rhyne, Robinson, Rogers, Smith, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Withrow, and Wood - 89.

Voting in the negative: None.

Excused absences: Representatives Isenhower and Wainwright - 2.

Committee Substitute No. 2 for S.B. 565, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE POPLAR TENT BEAUTIFICATION DISTRICT IN CABARRUS COUNTY, TO PROVIDE FOR LAND USE PLANNING IN THE DISTRICT, AND TO MAKE SEVERAL LOCAL MODIFICATIONS APPLICABLE WITHIN CABARRUS COUNTY.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Grady, Gray, Green, Grimmer, Hackney, Hardaway, Hege, Holt, Huffman, Sam Hunt, Hurley, James, Jarrell, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McGee, McLawhorn, Mavretic, Mercer, Michaux, Morgan, Nye, Oldham, Pope, Privette, Redwine, Rhodes, Rhyne, Robinson, Rogers, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Withrow, and Wood - 87.

Voting in the negative: None.

Excused absences: Representatives Isenhower and Wainwright - 2.

Committee Substitute for **S.B. 580**, A BILL TO BE ENTITLED AN ACT AUTHORIZING DURHAM COUNTY TO INCREASE ITS ROOM OCCUPANCY TAX FROM THREE PERCENT TO FIVE PERCENT AND PROVIDING FOR THE USE OF THE PROCEEDS OF THE TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brubaker, Buchanan, Chapin, Church, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gardner, Grady, Gray, Green, Grimmer, Hackney, Hardaway, Holmes, Holt, Huffman, Sam Hunt, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Lewis, Lilley, Lineberry, Loflin, Luebke, Lutz, McGee, McLawhorn, Mavretic, Mercer, Michaux, Morgan, Oldham, Privette, Redwine, Rhodes, Rhyne, Robinson, Russell, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Withrow, and Wood - 77.

Voting in the negative: Representatives Beall, Brown, Hege, Ligon, Pope, and Wilson - 6.

Excused absences: Representatives Isenhower and Wainwright - 2.

Committee Substitute for **H.B. 776**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SIX MEMBERS OF THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION SHALL BE ELECTED FROM DISTRICTS, AND THREE SHALL BE ELECTED AT LARGE.

Representative Kennedy withdraws pending Amendment No. 1.

SPEAKER BLUE PRESIDING.

Representative Decker offers Amendment No. 2.

Representative Decker calls the previous question on the amendment and the call is sustained.

A division having been called, Amendment No. 2 fails of adoption by electronic vote (41-59).

The bill passes its second reading, by electronic vote (65-33), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 1303**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH HOUSE OF REPRESENTATIVES DISTRICTS AND TO APPORTION SEATS IN THE HOUSE OF REPRESENTATIVES AMONG DISTRICTS.

Representative Gardner offers Amendment No. 10 which fails of adoption by electronic vote (43-64).

Representative Rhyne offers Amendment No. 11.

On motion of Representative Redwine, seconded by Representative Anderson, Amendment No. 11 is tabled by electronic vote (70-32).

Representative Fitch offers Amendment No. 12 which is adopted by electronic vote (102-2).

Representative Fitch calls the previous question on the passage of the bill.

Representative Balmer moves that the call for the previous question be postponed indefinitely. This motion fails.

The question before the House is the call for the previous question on the passage of the bill on its third reading and the call is sustained.

The bill, as amended, passes its third reading, by electronic vote (78-31), and is ordered engrossed and sent to the Senate by Special Message.

PERMANENT SUBCOMMITTEE REPORTS

The following reports from permanent subcommittee are presented:

By Representative Fletcher for the Permanent Subcommittee on Financial Institutions:

H.B. 503, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE BANKING LAWS, reported to the Standing Committee on Commerce, without prejudice.

H.B. 504, A BILL TO BE ENTITLED AN ACT TO REGULATE BANK HOLDING COMPANIES, reported to the Standing Committee on Commerce, without prejudice.

H.B. 565, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIRED PERIOD OF EXISTENCE FOR A BANK OR SUBSIDIARY BANK OF A BANK HOLDING COMPANY BEFORE IT MAY BE SUBJECT TO INTERSTATE ACQUISITION, reported to the Standing Committee on Commerce, without prejudice.

H.B. 955, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSUMER FINANCE ACT TO MODIFY THE RATES AND FEES ALLOWED TO BE CHARGED, TO GRANT AUTHORITY TO WRITE INSURANCE IN THE SAME PLACE OF BUSINESS, AND TO ALLOW THE TAKING OF SECOND MORTGAGES ON REAL PROPERTY, reported to the Standing Committee on Commerce, without prejudice.

CALENDAR (continued)

House Committee Substitute No. 2 for **S.B. 342**, A BILL TO BE ENTITLED AN ACT TO AMEND AND IMPROVE THE INSURANCE LAWS ON THE MONITORING OF THE FINANCIAL CONDITION OF INSURANCE COMPANIES IN ACCORDANCE WITH THE FINANCIAL REGULATION STANDARDS AND INSURANCE DEPARTMENT ACCREDITATION PROGRAM OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS, passes its second reading, by electronic vote (82-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute No. 2 by Special Message.

Committee Substitute for **H.B. 18**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL BOARDS OF HEALTH TO ADOPT BY REFERENCE RULES OF THE ENVIRONMENTAL MANAGEMENT COMMISSION CONCERNING WELLS OR TO ADOPT MORE STRINGENT RULES.

On motion of Representative Dickson, the House concurs in the Senate amendment, by electronic vote (89-0), and the bill is ordered enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 11, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on Committee Substitute No. 2 for **H.B. 904**, A BILL TO BE ENTITLED AN ACT TO REGULATE THE SALE OF MOTOR VEHICLES BY MOTOR VEHICLE DEALERS.

Pursuant to your message that your Honorable Body adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

Committee Substitute for **H.B. 564**, A BILL TO BE ENTITLED AN ACT TO REGULATE THE PRACTICE OF DIETETICS/NUTRITION, is returned for concurrence in three Senate amendments and placed on the Calendar for July 12.

Committee Substitute for **H.B. 770**, A BILL TO BE ENTITLED AN ACT TO CREATE A MIXED BEVERAGES CATERING PERMIT, is returned for concurrence in Senate amendment and placed on the Calendar for July 12.

Committee Substitute for **H.B. 890**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NEWBORN SCREENING PROGRAM WITHIN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, is returned for concurrence in Senate amendment.

On motion of Representative Mavretic, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Mavretic, the House concurs in the Senate amendment, by electronic vote (88-0), and the bill is ordered enrolled.

CALENDAR (continued)

House Committee Substitute for **S.B. 42**, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE BANKING LAWS, passes its second reading, by electronic vote (93-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for **S.B. 70**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE FOREIGN BANKING OFFICES IN NORTH CAROLINA.

On motion of Representative Hardaway, Committee Amendment No. 1 is adopted.

Representative Hardaway calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Hurley, James, Jarrell, Jeffus,

Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McAllister, McGee, Mavretic, Mercer, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Rhodes, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wilmoth, Wilson, Withrow, Wood, and Woodard - 100.

Voting in the negative: Representatives Gist, McLaughlin, and Warner - 3.

Excused absences: Representatives Isenhower and Wainwright - 2.

Committee Substitute for **H.B. 888**, A BILL TO BE ENTITLED AN ACT TO REQUIRE AN ANNUAL FEE FOR REGISTRATION AS A LEGISLATIVE AGENT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Barnes, Barnhill, Beall, Beard, Black, Bowie, Bowman, Brawley, Brubaker, Buchanan, Chapin, Church, Colton, N. J. Crawford, Creech, Cunningham, Dawkins, DeVane, Dial, Diamont, Dockham, Easterling, Ethridge, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hensley, Hightower, Holt, Howard, Huffman, Jack Hunt, Hurley, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, Mavretic, Mercer, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Ramsey, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 92.

Voting in the negative: Representatives Balmer, Barbee, Brown, Culp, Decker, Dickson, Hege, Kimsey, and Privette - 9.

Excused absences: Representatives Isenhower and Wainwright - 2.

Committee Substitute for **H.B. 1255**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF FACILITY SERVICES, TO CHARGE FEES FOR VARIOUS FACILITIES SEEKING LICENSURE OR CERTIFICATION AND TO AUTHORIZE THE DEPARTMENT OF CORRECTION TO CHARGE A FEE FOR DRUG TESTING AS A CONDITION OF PROBATION OR PAROLE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Dawkins, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Grady, Gray, Green, Greenwood, Grimmer, Hensley, Hightower, Holmes, Holt, Huffman, Jack Hunt, Judy Hunt, R. Hunter, Hurley, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley,

Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, Mavretic, Mercer, Miller, Morgan, Nye, Oldham, Pope, Privette, Ramsey, Rhodes, Rhyne, Robinson, Rogers, Smith, Stamey, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 94.

Voting in the negative: Representatives Creech, Decker, Hege, and Howard - 4.

Excused absences: Representatives DeVane, Isenhower, and Wainwright - 3.

House Committee Substitute for **S.B. 91**, A BILL TO BE ENTITLED AN ACT TO CREATE A SAVINGS BANK CHARTER IN NORTH CAROLINA.

On motion of Representative R. Hunter, Committee Amendments Nos. 1, 2 and 3 are adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hardaway, Hege, Hensley, Hightower, Howard, Jack Hunt, R. Hunter, Hurley, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Loflin, Luebke, Lutz, McAllister, McGee, McLawhorn, Mavretic, Mercer, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 97.

Voting in the negative: Representatives Gardner, Hackney, and Huffman - 3.

Excused absences: Representatives Isenhower and Wainwright - 2.

House Committee Substitute No. 2 for **S.B. 426**, A BILL TO BE ENTITLED AN ACT TO REVISE AND RECODIFY AS CHAPTER 10A THE STATUTES RELATING TO NOTARIES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnhill, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hege, Hensley, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, R. Hunter, Hurley, James, Jarrell, Jeffus, Jeralds, Jones, Jordan,

Kahl, Kennedy, Kerr, Lewis, Lilley, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Redwine, Rhodes, Robinson, Russell, Smith, Stewart, Thompson, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 96.

Voting the negative: Representatives Chapin, Decker, Hightower, and Rhyne - 4.

Excused absences: Representatives Isenhower and Wainwright - 2.

S.B. 508, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FEE FOR FEED TESTING, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Anderson, Balmer, Barbee, Barnhill, Beall, Beard, Bowen, Bowie, Bowman, Browley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, Dial, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hensley, Hightower, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Hurley, James, Jarrell, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, Mavretic, Mercer, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Robinson, Russell, Stamey, Stewart, Thompson, Warner, Wicker, Wilson, Withrow, Wood, and Woodard - 89.

Voting in the negative: Representative Hege.

Excused absences: Representatives Isenhower and Wainwright - 2.

Committee Substitute for S.B. 935, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MARRIAGE LICENSE FEE AND TO CREATE THE DOMESTIC VIOLENCE CENTER FUND.

On motion of Representative Redwine, Committee Amendments Nos. 1 and 2 are adopted.

On motion of Representative Redwine, the bill, as amended, is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

House Committee Substitute for S.B. 108, A BILL TO BE ENTITLED AN ACT TO IMPROVE ADMINISTRATION OF THE SALES AND USE TAX BY INCREASING THE LICENSE TAXES, ALLOWING MORE SMALL RETAILERS TO FILE QUARTERLY SALES TAX RETURNS, AND EXTENDING THE LIMITATIONS PERIOD FOR ENFORCING LIABILITY AGAINST CERTAIN TRANSFEREES AND CORPORATE OFFICERS, AND TO MAKE TECHNICAL CORRECTIONS TO THE REVENUE LAWS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnhill, Beall, Beard, Black, Bowen,

Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dial, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gist, Gottovi, Grady, Gray, Green, Greenwood, Grimmer, Hackney, Hensley, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Hurley, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kennedy, Kimsey, Lewis, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, McLaughlin, Mavretic, Mercer, Miller, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Stamey, Stewart, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 88.

Voting in the negative: Representatives Dickson, Hege, Kahl, and Morgan - 4.

Excused absences: Representatives Isenhower and Wainwright - 2.

House Committee Substitute for **S.B. 828**, A BILL TO BE ENTITLED AN ACT TO REORGANIZE THE LANGUAGE OF A STATUTE IN ORDER TO MAKE THE STATUTE MORE READABLE AND TO PERMIT PUBLIC SCHOOL EMPLOYEES TO AUTHORIZE THE PERIODIC DEDUCTION FROM THEIR SALARIES OF PAYMENTS TO THE EMPLOYEES' ASSOCIATION, passes its third reading, by electronic vote (74-25), and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

CONFERENCE REPORT

Representative Stamey sends forth the following Conference Report and moves its adoption.

H.B. 281

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on **H.B. 281**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ACQUIRE PROPERTY FOR NEW RAILROAD CORRIDORS AND TO ENTER INSTALLMENT CONTRACTS FOR THE PURCHASE OF RAILROAD CORRIDORS AND OTHER RAIL PROPERTY, First Edition,

wish to report as follows:

The Senate recedes from Senate Amendment #1 (unengrossed), adopted by the Senate on June 27, 1991.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 11th day of July, 1991.

*Conferees for the
Senate*

S/ William Goldston, Jr.
S/ Franklin Block
S/ Aaron Plyler

*Conferees for the
House of Representatives*

S/ Peggy Stamey
S/ Donald Dawkins
S/ Sam Hunt

The Conference Report is adopted, by electronic vote (102-0), and the Senate is so notified by Special Message.

On motion of the Chair, the House recesses at 6:30 p.m.

RECESS

The House reconvenes at 9:30 p.m. and is called to order by the Speaker.

The Speaker announces that there will be a delay in reconvening until printing has been completed on matters to be considered and advises members to be at ease until the convening call is made.

The House reconvenes at 10:40 p.m. and is called to order by the Speaker.

CONFERENCE REPORT

Representative Hackney sends forth the following Conference Report.

Senate Committee Substitute for**H.B. 83**

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on **H.B. 83, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET AND EXPANSION BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR OTHER PURPOSES; TO PROVIDE FOR BUDGET REFORM; AND TO PROVIDE FOR REVENUE RECONCILIATION**, Senate Finance Committee Substitute Adopted 6/11/91, with unengrossed amendments, Fifth Edition as amended

wish to report as follows:

The House concurs in the Senate Finance Committee Substitute Adopted 6/11/91, with unengrossed amendments, Fifth Edition as amended, with the following amendment: Delete the entire Senate Finance Committee Substitute Adopted 6/11/91, with unengrossed amendments, Fifth Edition as amended, and substitute the attached Proposed Conference Committee Substitute PCCS9181-X.

The Senate agrees to the same.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 11 day of July, 1991.

*Conferees for the
Senate*

S/ Marc Basnight
S/ William D. Goldston, Jr.
S/ Herbert L. Hyde
S/ Howard N. Lee
S/ William N. Martin
S/ Helen R. Marvin
S/ Wendell H. Murphy
S/ T. L. Odom
S/ Aaron W. Plyler
S/ James F. Richardson
S/ Mary P. Seymour
S/ Marvin M. Ward
S/ Ed N. Warren

*Conferees for the
House of Representatives*

S/ Joe Hackney
S/ Anne C. Barnes
S/ Marie W. Colton
S/ Daniel H. DeVane
S/ David H. Diamont
S/ Milton F. Fitch, Jr.
S/ John J. Hunt
S/ Luther R. Jeralds
S/ George W. Miller
S/ Martin L. Nesbitt, Jr.
S/ George S. Robinson
S/ Dennis A. Wicker

The Speaker rules the Conference Report material. The report is read the first time and placed on the Calendar for July 12 for its second roll call reading for adoption.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representatives Hackney and Miller for the Committee on Finance:

H.B. 382, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE STACKING OF OVERWEIGHT PENALTIES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

On motion of Representative Hackney, the rules are suspended and the committee substitute bill is placed on the Calendar for July 12. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 434, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO WORKERS' COMPENSATION ACT AND TO INCREASE ASSESSMENTS BY THE INDUSTRIAL COMMISSION FOR THE SECOND INJURY FUND**, with a favorable report.

Committee Substitute for **S.B. 640, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COLLEGIATE INSIGNIA REGISTRATION PLATES**, with a favorable report, as amended, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

On motion of Representative Hackney, Committee Amendment No. 1 is adopted.

The committee substitute bill, as amended, is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 649**, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA AIR CARGO AIRPORT AUTHORITY, TO AUTHORIZE THE ISSUANCE OF REVENUE BONDS TO FINANCE AIRPORT AND INDUSTRIAL FACILITIES, TO AUTHORIZE UNITS OF LOCAL GOVERNMENT TO TAKE CERTAIN ACTIONS RELATED TO CARGO AIRPORT COMPLEXES, AND TO MAKE CONFORMING CHANGES TO OTHER STATUTES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

On motion of Representative Hackney, the rules are suspended and the House committee substitute bill is placed on the Calendar for July 12. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 694**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MANDATORY CERTIFICATION OF CLINICAL SOCIAL WORKERS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

On motion of Representative Hackney, the rules are suspended and the House committee substitute bill is placed on the Calendar for July 12. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 775, A BILL TO BE ENTITLED AN ACT TO SAVE THE DEDUCTION OF INTERESTS IN CERTAIN TRUSTS FOR THE FEDERAL ESTATE OR GIFT TAX MARITAL DEDUCTION, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of Representative Hackney, the rules are suspended and the House committee substitute bill is placed on the Calendar for July 12. The original bill is placed on the Unfavorable Calendar.

S.B. 863, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE STANDARDS LABORATORY AND TO ESTABLISH A FEE SCHEDULE FOR THE STANDARDS LABORATORY, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

PERMANENT SUBCOMMITTEE REPORT

The following report from permanent subcommittee is presented:

By Representative Hardaway for the Permanent Subcommittee on Insurance of the Standing Committee on Commerce, with approval of standing committee chairman for report to be made directly to the floor of the House:

Committee Substitute for **S.B. 333**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO AND CORRECTIONS IN THE INSURANCE LAWS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

On motion of Representative Hardaway, the rules are suspended and the House committee substitute bill is placed on the Calendar for July 12. The Senate committee substitute bill is placed on the Unfavorable Calendar.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

H.J.R. 1308, A JOINT RESOLUTION HONORING THE MEMORY OF JOSEPH CALDWELL AND COLONEL WILLIAM LENOIR ON THE SESQUICENTENNIAL OF CALDWELL COUNTY, with a favorable report.

On motion of Representative Flaherty, the rules are suspended and the resolution is placed on today's Calendar.

The resolution passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

On motion of Representative Gottovi, **S.B. 58**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE QUALIFIED DENTISTS TO ADMINISTER GENERAL ANESTHESIA, is placed on the Calendar of July 12 as Special Order of Business.

CONFERENCE REPORT

Representative Huffman sends forth the following Conference Report and moves its adoption.

H.B. 64

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on **H.B. 64**, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE AND SIMPLIFY THE SPECIAL LICENSE PLATE LAWS, Senate Transportation Committee Substitute Adopted 6/13/91, Fourth Edition,

wish to report as follows:

The House concurs in the Senate Transportation Committee Substitute Adopted 6/13/91, Fourth Edition, and the House and Senate agree to the following amendments:

on page 3, line 1, by renumbering subdivision "(11a)" as "(12)";
on page 3, lines 22 through 29, by deleting those lines;
and by renumbering the remaining subdivisions under G.S. 20-79.4(a) accordingly;
on page 4, line 37, by deleting the phrase "and a Purple Heart recipient";
and on page 4, lines 38 through 40, by rewriting the lines to read: "the amount of the regular motor vehicle registration fee. The annual fee for a".

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 11th day of July, 1991.

*Conferees for the
Senate*

S/ William Goldston, Jr.
S/ Paul Smith
S/ R. C. Soles, Jr.

*Conferees for the
House of Representatives*

S/ Doris Huffman
S/ Marie Colton
S/ John Kerr, III
S/ Peggy Stamey

The Conference Report is adopted, by electronic vote (96-1), and the Senate is so notified by Special Message.

On motion of Representative Jack Hunt, seconded by Representative Brawley, the House adjourns at 11:25 p.m. to reconvene July 12 at 9:00 a.m.

ONE HUNDRED THIRD DAY

HOUSE OF REPRESENTATIVES
Friday, July 12, 1991

The House meets at 9:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of July 11 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (71-0).

Leaves of absence are granted Representatives Dial and Wainwright for today.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representative Hensley, Speaker Blue, Representatives Fussell, Jordan, Pope, and Stamey:

H.J.R. 1313, A JOINT RESOLUTION HONORING THE MEMBERS OF THE 1792 GENERAL ASSEMBLY, THE NINE CAPITAL COMMISSIONERS, AND ISAAC HUNTER ON THE 200TH ANNIVERSARY OF THE FOUNDING OF THE CITY OF RALEIGH AS THE CAPITAL OF NORTH CAROLINA, is referred to the Committee on Rules, Appointments and Calendar.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

Senate Committee Substitute No. 2 for **H.B. 881**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FEE-BASED PRACTICING PASTORAL COUNSELORS CERTIFICATION ACT, is returned for concurrence in Senate Committee Substitute No. 2.

On motion of Representative Dawkins, the rules are suspended and the bill is placed on the Calendar.

CALENDAR

Action is taken on the following:

Committee Substitute for **S.B. 58**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE QUALIFIED DENTISTS TO ADMINISTER GENERAL ANESTHESIA.

On motion of Representative Gottovi, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (86-4), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Senate Committee Substitute for House Committee Substitute for **H.B. 80**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A REGIONAL TRANSPORTATION AUTHORITY TO LEVY A VEHICLE REGISTRATION TAX.

The House concurs in the material Senate committee substitute bill on its third roll call reading for concurrence, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Beall, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, Cunningham, Dawkins, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Fussell, Gardner, Gottovi, Grady, Gray, Greenwood, Hasty, Hege, Hightower, Holt, Huffman, Jack Hunt, Judy Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Justus, Kerr, Lewis, Ligon, Lilley, Lineberry, Lutz, McAllister, McGee, McLawhorn, Mavretic, Mercer, Miller, Morgan, Nesbitt,

Oldham, Privette, Ramsey, Redwine, Rhodes, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wilmoth, Wilson, Withrow, Wood, and Woodard - 77.

Voting in the negative: Representatives Brubaker, Decker, Hensley, Holmes, Jordan, Luebke, Pope, and Rhyne - 8.

Excused absences: Representatives Dial and Wainwright - 2.

Senate Committee Substitute for **H.B. 479**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONSENT TO ADOPTION IS NOT REVOCABLE AFTER A CERTAIN PERIOD OF TIME AND TO AMEND THE PROCEDURES REGARDING LEGITIMATION OF CHILDREN.

On motion of Representative Payne, the House concurs in the Senate committee substitute, by electronic vote (92-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 564**, A BILL TO BE ENTITLED AN ACT TO REGULATE THE PRACTICE OF DIETETICS/NUTRITION.

On motion of Representative Jeralds, the House concurs in Senate Amendment No. 1 by electronic vote (88-2).

On motion of Representative Jeralds, the House concurs in Senate Amendment No. 2 by electronic vote (89-0).

On motion of Representative Jeralds, the House concurs in Senate Amendment No. 4, by electronic vote (99-1), and the bill is ordered enrolled.

Committee Substitute for **H.B. 770**, A BILL TO BE ENTITLED AN ACT TO CREATE A MIXED BEVERAGES CATERING PERMIT.

On motion of Representative Payne, the House concurs in the Senate amendment, by electronic vote (75-7), and the bill is ordered enrolled.

Senate Committee Substitute No. 2 for House Committee Substitute No. 2 for **H.B. 881**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FEE-BASED PRACTICING PASTORAL COUNSELORS CERTIFICATION ACT.

On motion of Representative Dawkins, the House concurs in Senate Committee Substitute No. 2, by electronic vote (88-0), and the bill is ordered enrolled.

Committee Substitute for **S.B. 505**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF WHITSETT IN GUILFORD COUNTY.

Representative Jeffus offers Amendment No. 2 which is adopted by electronic vote (78-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendments by Special Message.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Beall, Bowen, Bowman, Brawley, Brown, Buchanan, Chapin, Colton, Creech, Cunningham, Dawkins, Decker, DeVane, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Gamble, Gardner, Gottovi, Grady, Gray, Greenwood, Grimmer, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Isenhower, Jarrell, Jeffus, Jordan, Justus, Kennedy, Kerr, Ligon, Lilley, Lineberry, Loflin, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Rhodes, Russell, Smith, Stewart, Tallent, Thompson, Wilmoth, Wilson, Withrow, Wood, and Woodard - 76.

Voting in the negative: Representative Brubaker.

Excused absences: Representatives Dial and Wainwright - 2.

Committee Substitute No. 2 for **S.B. 565**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE POPLAR TENT BEAUTIFICATION DISTRICT IN CABARRUS COUNTY, TO PROVIDE FOR LAND USE PLANNING IN THE DISTRICT, AND TO MAKE SEVERAL LOCAL MODIFICATIONS APPLICABLE WITHIN CABARRUS COUNTY.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Beall, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Colton, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Gamble, Gardner, Gottovi, Grady, Gray, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Hurley, Isenhower, Jarrell, Jeffus, Jordan, Justus, Kennedy, Kerr, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Miller, Morgan, Nye, Oldham, Pope, Privette, Ramsey, Rhodes, Russell, Stewart, Tallent, Thompson, Wilmoth, Wilson, Withrow, and Wood - 81.

Voting in the negative: None.

Excused absences: Representatives Dial and Wainwright - 2.

Committee Substitute for **S.B. 580**, A BILL TO BE ENTITLED AN ACT AUTHORIZING DURHAM COUNTY TO INCREASE ITS ROOM OCCUPANCY TAX FROM THREE PERCENT TO FIVE PERCENT AND PROVIDING FOR THE USE OF THE PROCEEDS OF THE TAX, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Colton, J. W. Crawford, Creech, Culp,

Cunningham, Dawkins, Decker, DeVane, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Gamble, Gardner, Gottovi, Grady, Gray, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Hurley, Isenhower, Jarrell, Jeffus, Jordan, Justus, Kennedy, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLaughlin, Mavretic, Mercer, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Rhodes, Russell, Stewart, Tallent, Thompson, Warner, Wilmoth, Wilson, Withrow, and Wood - 81.

Voting in the negative: Representatives Beall and Ligon - 2.

Excused absences: Representatives Dial and Wainwright - 2.

House Committee Substitute for S.B. 70, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE FOREIGN BANKING OFFICES IN NORTH CAROLINA.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Diamont, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Gamble, Gardner, Gottovi, Gray, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, R. Hunter, Hurley, Isenhower, Jeffus, Jeralds, Jordan, Justus, Kennedy, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, Mavretic, Mercer, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Withrow, and Wood - 87.

Voting in the negative: Representative McLaughlin.

Excused absences: Representatives Dial and Wainwright - 2.

Committee Substitute for H.B. 888, A BILL TO BE ENTITLED AN ACT TO REQUIRE AN ANNUAL FEE FOR REGISTRATION AS A LEGISLATIVE AGENT, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, J. W. Crawford, Creech, Cunningham, Dawkins, Diamont, Dickson, Dockham, Easterling, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hensley, Hightower, Holt, Howard, Huffman, Hurley, Isenhower, Jeffus, Jeralds, Jordan, Justus, Kennedy, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McGee, McLaughlin, Mavretic, Mercer, Miller, Morgan, Nesbitt, Nye, Oldham, Pope,

Privette, Ramsey, Rhodes, Rhyne, Rogers, Russell, Stewart, Tallent, Thompson, Wilmoth, Wilson, Withrow, and Wood - 79.

Voting in the negative: Representatives Culp, Decker, Hege, and Holmes - 4.

Excused absences: Representatives Dial and Wainwright - 2.

Committee Substitute for **H.B. 1255**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF FACILITY SERVICES, TO CHARGE FEES FOR VARIOUS FACILITIES SEEKING LICENSURE OR CERTIFICATION AND TO AUTHORIZE THE DEPARTMENT OF CORRECTION TO CHARGE A FEE FOR DRUG TESTING AS A CONDITION OF PROBATION OR PAROLE, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Dockham, Easterling, Ethridge, Flaherty, Fletcher, Foster, Gardner, Gottovi, Grady, Gray, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hightower, Holmes, Holt, Howard, Huffman, R. Hunter, Hurley, Isenhower, Jeffus, Jeralds, Jordan, Justus, Kennedy, Kerr, Lewis, Ligon, Lilley, Loflin, Luebke, McAllister, McGee, McLaughlin, Mavretic, Mercer, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhyne, Rogers, Russell, Stewart, Tallent, Thompson, Wicker, Wilmoth, Wilson, Withrow, and Wood - 80.

Voting in the negative: Representative Decker.

Excused absences: Representatives Dialand Wainwright - 2.

House Committee Substitute for **S.B. 91**, A BILL TO BE ENTITLED AN ACT TO CREATE A SAVINGS BANK CHARTER IN NORTH CAROLINA.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute, as amended, without engrossment by Special Message.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gardner, Gottovi, Grady, Gray, Greenwood, Grimmer, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kennedy, Kerr, Lewis, Ligon, Lilley, Loflin, Luebke, Lutz, McAllister, McGee, Mavretic, Mercer, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Stewart, Tallent, Thompson, Wilmoth, Wilson, Withrow, and Wood - 83.

Voting in the negative: Representatives Hackney and McLaughlin - 2.

Excused absences: Representatives Dial and Wainwright - 2.

House Committee Substitute No. 2 for S.B. 426, A BILL TO BE ENTITLED AN ACT TO REVISE AND RECODIFY AS CHAPTER 10A THE STATUTES RELATING TO NOTARIES, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute No. 2 by Special Message.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, J. W. Crawford, Creech, Cunningham, DeVane, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Fussell, Gardner, Gottovi, Grady, Gray, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Holmes, Holt, Howard, Huffman, R. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Justus, Kennedy, Kerr, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, Mavretic, Mercer, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Stewart, Tallent, Thompson, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 85.

Voting in the negative: Representatives Decker, Hightower, and McLaughlin - 3.

Excused absences: Representatives Dialand Wainwright - 2.

S.B. 508, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FEE FOR FEED TESTING, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Fussell, Gardner, Gottovi, Grady, Gray, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, H. Hunter, R. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Jones, Justus, Kennedy, Lewis, Ligon, Lilley, Lineberry, Loflin, McAllister, McGee, McLaughlin, Mavretic, Mercer, Miller, Morgan, Nye, Oldham, Pope, Privette, Ramsey, Rhodes, Rogers, Russell, Stewart, Tallent, Thompson, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 83.

Voting in the negative: Representative Rhyne.

Excused absences: Representatives Dial and Wainwright - 2.

House Committee Substitute for S.B. 108, A BILL TO BE ENTITLED AN ACT TO IMPROVE ADMINISTRATION OF THE SALES AND USE TAX BY INCREASING THE LICENSE TAXES, ALLOWING MORE SMALL RETAILERS TO FILE QUARTERLY

SALES TAX RETURNS, AND EXTENDING THE LIMITATIONS PERIOD FOR ENFORCING LIABILITY AGAINST CERTAIN TRANSFEREES AND CORPORATE OFFICERS, AND TO MAKE TECHNICAL CORRECTIONS TO THE REVENUE LAWS, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Albertson, Balmer, Barbee, Barnes, Beall, Black, Bowen, Bowie, Brawley, Brown, Brubaker, Buchanan, Chapin, J. W. Crawford, Creech, Cunningham, Decker, DeVane, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Foster, Fussell, Gardner, Gottovi, Grady, Gray, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, H. Hunter, R. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jeralds, Kennedy, Kerr, Lewis, Ligon, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, Mavretic, Mercer, Miller, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Rhodes, Rogers, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Withrow, Wood, and Woodard - 79.

Voting in the negative: Representative Morgan.

Excused absences: Representatives Dial and Wainwright - 2.

House Committee Substitute for S.B. 775, A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW REGARDING TRUSTS.

Representative Brawley offers Amendment No. 1 which is adopted by electronic vote (52-41).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Buchanan, Chapin, Colton, N. J. Crawford, Creech, Cunningham, Dawkins, Decker, DeVane, Dickson, Dockham, Easterling, Esposito, Ethridge, Flaherty, Fletcher, Foster, Gamble, Gardner, Gottovi, Grady, Gray, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Thompson, Warner, Wilmoth, Wilson, Withrow, Wood, and Woodard - 97.

Voting in the negative: None.

Excused absences: Representatives Dial and Wainwright - 2.

Committee Substitute for S.B. 943, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF WATER WITHDRAWALS AND TRANSFERS OF ONE MILLION GALLONS OR MORE PER DAY.

Representative Hackney offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Beall, Black, Bowen, Bowman, Brawley, Brubaker, Buchanan, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Decker, DeVane, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gamble, Gardner, Gist, Grady, Gray, Greenwood, Grimmer, Hackney, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Judy Hunt, Sam Hunt, H. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Ramsey, Redwine, Rhodes, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Warner, Wicker, Wilmoth, Wilson, Withrow, Wood, and Woodard - 100.

Voting in the negative: None.

Excused absences: Representatives Dial and Wainwright - 2.

CONFERENCE REPORT FOR ADOPTION

Conference Report on Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute No. 2 for **H.B. 83, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET AND EXPANSION BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR OTHER PURPOSES; AND TO PROVIDE FOR BUDGET REFORM; AND TO PROVIDE FOR REVENUE RECONCILIATION.**

Responding to inquiry by Representative Mavretic regarding contents in **H.B. 525** that had been placed on the Unfavorable Calendar on June 28 and the same provision included in the present Conference Report, the Speaker announces that this part of the Conference Report was included in the original **H.B. 83** and is covered under Rule 42.

Representative Hackney calls the previous question on the adoption of the Conference Report.

Representative Pope moves that the call for the previous question be postponed indefinitely and this motion fails by electronic vote (30-81).

The call for the previous question on the adoption of the Conference Report is sustained by electronic vote (81-31).

The material Conference Report passes its second reading for adoption, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowman, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Cunningham, Dawkins, DeVane, Diamont, Easterling, Ethridge, Fitch, Fletcher, Foster, Fussell, Gamble, Gist, Gottovi, Greenwood, Hackney, Hardaway, Hasty, Hensley, Hightower, Holt, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Kerr, Lilley, Lineberry, Luebke, Lutz, McAllister, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Nesbitt, Nye, Oldham, Payne, Ramsey, Redwine, Rhodes, Rogers, Smith, Stamey, Thompson, Wicker, Wilmoth, Withrow, and Woodard - 74.

Voting in the negative: Representatives Abernethy, Balmer, Barbee, Bowie, Brawley, Brown, Brubaker, Buchanan, Creech, Culp, Decker, Dickson, Dockham, Esposito, Flaherty, Gardner, Grady, Gray, Grimmer, Hege, Holmes, Howard, Huffman, Isenhower, Justus, Kimsey, Lewis, Ligon, Loflin, McGee, Mavretic, Morgan, Pope, Privette, Rhyne, Robinson, Russell, Stewart, Tallent, Warner, Wilson, and Wood - 42.

Excused absences: Representatives Dial and Wainwright - 2.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 283, AN ACT TO AMEND THE WEIGHTS AND MEASURES ACT. (CHAPTER 642)

S.B. 329, AN ACT TO MAKE VARIOUS TECHNICAL AND CLARIFYING AMENDMENTS TO THE NURSING PRACTICE ACT. (CHAPTER 643)

S.B. 339, AN ACT TO MAKE VARIOUS SUBSTANTIVE AMENDMENTS TO THE INSURANCE LAWS AND OTHER LAWS RELATED TO THE DEPARTMENT OF INSURANCE. (CHAPTER 644)

S.B. 398, AN ACT TO AMEND THE BUSINESS CORPORATION ACT AND MAKE A CONFORMING AMENDMENT TO G.S. 47-18.1 AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND TO AMEND CERTAIN OTHER STATUTES PERTAINING TO CORPORATIONS. (CHAPTER 645)

S.B. 688, AN ACT TO PROHIBIT THE STACKING OF UNINSURED AND UNDERINSURED MOTORIST COVERAGE. (CHAPTER 646)

S.B. 778, AN ACT TO AMEND THE LAWS REGARDING THE EXECUTION OF CORPORATE INSTRUMENTS. (CHAPTER 647)

S.B. 792, AN ACT TO REQUIRE MANDATORY COMMUNITY SERVICE FOR AN INITIAL CONVICTION OF MAKING FALSE BOMB REPORTS TO A HOSPITAL FACILITY OR USING A

FALSE BOMB TO CREATE A SCARE IN A HOSPITAL FACILITY AND TO PROVIDE THAT A SECOND OR SUBSEQUENT CONVICTION OF EITHER OFFENSE IS A CLASS I FELONY. (CHAPTER 648)

H.B. 18, AN ACT TO AUTHORIZE LOCAL BOARDS OF HEALTH TO ADOPT BY REFERENCE RULES OF THE ENVIRONMENTAL MANAGEMENT COMMISSION CONCERNING WELLS OR TO ADOPT MORE STRINGENT RULES. (CHAPTER 650)

H.B. 54, AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE STATUTES RELATING TO CREDIT UNIONS AND TO INCREASE THE PENALTY FOR SUBMITTING LATE REPORTS TO THE ADMINISTRATOR OF CREDIT UNIONS. (CHAPTER 651)

H.B. 86, AN ACT TO AUTHORIZE CITIES AND COUNTIES TO IMPOSE AN AVAILABILITY FEE FOR SOLID WASTE DISPOSAL FACILITIES AND TO BILL AND COLLECT THE FEE IN THE SAME MANNER AS PROPERTY TAXES. (CHAPTER 652)

H.B. 301, AN ACT TO AMEND THE CEMETERY ACT AND RELATED STATUTES. (CHAPTER 653)

H.B. 402, AN ACT TO PERMIT THE DIVISION OF MOTOR VEHICLES TO CORRECT ITS RECORDS USING FORWARDING ADDRESSES FURNISHED BY THE POSTAL SERVICE AND TO REQUIRE MOTOR VEHICLE EXHAUST SYSTEMS TO BE INSPECTED. (CHAPTER 654)

H.B. 425, AN ACT TO ENCOURAGE HEALTH CARE PERSONNEL TO PROVIDE VOLUNTEER MEDICAL SERVICES AT LOCAL HEALTH DEPARTMENTS AND NONPROFIT COMMUNITY HEALTH CENTERS BY PROVIDING FOR LIMITED TORT LIABILITY PROTECTION. (CHAPTER 655)

H.B. 452, AN ACT TO REMOVE THE SUNSET ON ANNUAL FEES CHARGED BY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO SUPPORT PUBLIC HEALTH PROGRAMS, AND TO EXEMPT NUTRITION PROGRAMS FOR THE ELDERLY FROM SUCH FEES. (CHAPTER 656)

H.B. 491, AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL. (CHAPTER 657)

H.B. 673, AN ACT TO LIMIT TO NURSE ANESTHETISTS THE EXEMPTION FROM THE DEFINITION OF THE PRACTICE OF DENTISTRY FOR THE ADMINISTRATION OF ANESTHESIA. (CHAPTER 658)

H.B. 684, AN ACT TO AUTHORIZE CERTAIN CITIES AND COUNTIES TO TAKE INTO CONSIDERATION PROSPECTIVE REVENUES GENERATED BY THE DEVELOPMENT IN ARRIVING AT THE AMOUNT OF CONSIDERATION FOR AN ECONOMIC DEVELOPMENT CONVEYANCE. (CHAPTER 659)

H.B. 757, AN ACT TO AUTHORIZE THE CITY OF DUNN TO IMPOSE FACILITY FEES. (CHAPTER 660)

H.B. 890, AN ACT TO ESTABLISH A NEWBORN SCREENING PROGRAM WITHIN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES. (CHAPTER 661)

H.B. 904, AN ACT TO REGULATE THE SALE OF MOTOR VEHICLES BY MOTOR VEHICLE DEALERS. (CHAPTER 662)

H.B. 1107, AN ACT TO ALLOW PETS IN HOTEL ROOMS AT THE INNKEEPER'S PREROGATIVE. (CHAPTER 663)

H.B. 1178, AN ACT TO AUTHORIZE THE TOWN OF CASWELL BEACH AND THE VILLAGE OF BALD HEAD ISLAND TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX. (CHAPTER 664)

S.J.R. 964, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CLAUDE KITCHIN JOSEY, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 25)

On motion of the Chair, the House recesses at 2:25 p.m.

RECESS

The House meets at 4:38 p.m. pursuant to adjournment and is called to order by the Speaker.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representatives Hackney and Miller for the Committee on Finance:

S.B. 338, A BILL TO BE ENTITLED AN ACT TO RAISE MISCELLANEOUS FEES COLLECTED BY THE DEPARTMENT OF INSURANCE, with a favorable report.

On motion of Representative Hackney, the rules are suspended and the bill is placed on today's Calendar immediately after **S.B. 758** on page 3 of the Calendar.

Committee Substitute No. 2 for **S.B. 472**, A BILL TO BE ENTITLED AN ACT TO REVISE THE DRIVERS LICENSE LAW TO HARMONIZE THE COMMERCIAL DRIVERS LICENSE PROVISIONS WITH THE REGULAR DRIVERS LICENSE PROVISIONS, TO CLARIFY THE EFFECT OF A DISQUALIFICATION TO DRIVE A COMMERCIAL MOTOR VEHICLE, AND TO IMPOSE A FEE FOR A MOTORCYCLE ENDORSEMENT, A COMMERCIAL

LEARNER'S PERMIT, AND THE RESTORATION OF A LICENSE AFTER DISQUALIFICATION, with a favorable report, as amended.

On motion of Representative Hackney, the rules are suspended and the bill is placed on today's Calendar immediately after S.B. 758 on page 3 of the Calendar.

INTRODUCTION OF BILL AND RESOLUTION

On motion of Representative Privette, the rules are suspended and the following is introduced and read the first time:

By Representative Privette:

H.R. 1314, A HOUSE RESOLUTION HONORING THE MEMORY OF STEPHEN CABARRUS AND THE COUNTY OF CABARRUS AS IT PREPARES FOR ITS BICENTENNIAL OBSERVANCE, is referred to the Committee on Rules, Appointments and Calendar.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representatives Bowen, Fitch, and Sam Hunt for the Committee on Legislative and Local Redistricting:

Committee Substitute for **S.B. 17, A BILL TO BE ENTITLED AN ACT TO ESTABLISH SENATORIAL DISTRICTS AND TO APPORTION SEATS IN THE SENATE AMONG DISTRICTS,** with a favorable report, as amended.

On motion of Representative Sam Hunt, the rules are suspended and the bill is placed on the Calendar as the next Order of Business.

CALENDAR (continued)

Committee Substitute for **S.B. 17, A BILL TO BE ENTITLED AN ACT TO ESTABLISH SENATORIAL DISTRICTS AND TO APPORTION SEATS IN THE SENATE AMONG DISTRICTS.**

On motion of Representative Fitch, Committee Amendment No. 1 is adopted.

Representative Fitch calls the previous question on the passage of the bill and the call is sustained by electronic vote (74-35).

The bill, as amended, passes its second reading by electronic vote (74-35).

Representatives Pope, Hege, and Creech object to the third reading. The bill remains on the Calendar.

Representative Sam Hunt moves that the rules be suspended in order for the bill to be read a third time.

Representative Sam Hunt calls the previous question on the motion to suspend the rules for the bill to be read a third time. A division having been called, the motion is sustained by electronic vote (81-28).

The question before the House is the motion to suspend the rules in order for the bill to be read a third time. This motion carries by electronic vote (80-30). The Speaker rules this is a two-thirds majority vote.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

REPORT OF COMMITTEE

The following report from standing committees is presented:

By Representatives Diamont and Nesbitt for the Committee on Appropriations:

Committee Substitute for **S.B. 935**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MARRIAGE LICENSE FEE AND TO CREATE THE DOMESTIC VIOLENCE CENTER FUND, with a favorable report, as amended.

On motion of Representative Diamont, the rules are suspended and the bill is placed on today's Calendar.

CALENDAR (continued)

House Committee Substitute for **S.B. 597**, A BILL TO BE ENTITLED AN ACT TO CLARIFY SUBCONTRACTORS' LIENS AND PROVIDE ATTORNEYS' FEES TO PREVAILING PARTIES IN ACTIONS RELATING TO STATUTORY LIENS ON REAL PROPERTY AND PAYMENT AND PERFORMANCE BONDS.

Representative Sam Hunt moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

Representative Sam Hunt calls the previous question on the motion and the call is sustained.

The bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary I by electronic vote (72-30).

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 12, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on Senate Committee Substitute for **H.B. 64**, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE AND SIMPLIFY THE SPECIAL LICENSE PLATE LAWS.

Pursuant to your message that your Honorable Body adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 12, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on **H.B. 281, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ACQUIRE PROPERTY FOR NEW RAILROAD CORRIDORS AND TO ENTER INSTALLMENT CONTRACTS FOR THE PURCHASE OF RAILROAD CORRIDORS AND OTHER RAIL PROPERTY.**

Pursuant to your message that your Honorable Body adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

S.J.R. 966, A JOINT RESOLUTION HONORING THE MEMBERS OF THE 1792 GENERAL ASSEMBLY, THE NINE CAPITAL COMMISSIONERS, AND ISSAC HUNTER ON THE 200TH ANNIVERSARY OF THE FOUNDING OF THE CITY OF RALEIGH AS THE CAPITAL OF NORTH CAROLINA, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Senate Committee Substitute for **H.B. 1010, A BILL TO BE ENTITLED AN ACT TO LICENSE WHOLESALE DRUG DISTRIBUTORS,** is returned for concurrence in Senate committee substitute, as amended, and placed on the Calendar for July 13.

S.B. 584, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM TO PROVIDE OFF-STREET PARKING AT REDUCED RATES OR WITHOUT CHARGE TO PERSONS RESIDING IN THE DOWNTOWN AREA OF THE CITY, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 12, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in House Committee Substitute for S.B. 816, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING AMENDMENTS TO THE CERTIFICATE OF NEED STATUTES, and requests conferees, the President Pro Tempore appoints: Senator Cooper, Chairman; Senators Murphy, Sands, and Bryan on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker announces the appointment of Representatives Jeralds, Nye, and Easterling as conferees and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 12, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in House Committee Substitute for S.B. 828, A BILL TO BE ENTITLED AN ACT TO REORGANIZE THE LANGUAGE OF A STATUTE IN ORDER TO MAKE THE STATUTE MORE READABLE AND TO PERMIT PUBLIC SCHOOL EMPLOYEES TO AUTHORIZE THE PERIODIC DEDUCTION FROM THEIR SALARIES OF PAYMENTS TO THE EMPLOYEES' ASSOCIATION, and requests conferees, the President Pro Tempore appoints: Senator Winner, Chairman; Senators Staton and Soles on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker announces the appointment of Representatives R. Hunter, Gottovi, Hensley, Kerr, Barnes, and Nesbitt as conferees and the Senate is so notified by Special Message.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

Committee Substitute for **S.B. 270, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CAREER LIMITATION FOR EMPLOYER-APPROVED EDUCATIONAL LEAVES OF ABSENCE**, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

Senate Committee Substitute for **H.B. 734, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COLLEGIATE INSIGNIA REGISTRATION PLATES**, is returned for concurrence in Senate committee substitute and placed on the Calendar for July 13.

CALENDAR (continued)

House Committee Substitute for **S.B. 649, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA AIR CARGO AIRPORT AUTHORITY, TO AUTHORIZE THE ISSUANCE OF REVENUE BONDS TO FINANCE AIRPORT AND INDUSTRIAL FACILITIES, TO AUTHORIZE UNITS OF LOCAL GOVERNMENT TO TAKE CERTAIN ACTIONS RELATED TO CARGO AIRPORT COMPLEXES, AND TO MAKE CONFORMING CHANGES TO OTHER STATUTES**.

Representative Miller offers Amendment No. 1 which is adopted.

Representative Miller offers Amendment No. 2 which is adopted.

Representative Miller offers Amendment No. 3 which is adopted.

Representative Miller offers Amendment No. 4 which is adopted.

Representative Wicker offers Amendment No. 5 which is adopted.

Representative Hardaway offers Amendment No. 6 which is adopted.

Representative Colton offers Amendment No. 7 which is adopted.

Representative Colton offers Amendment No. 8 which is adopted.

Representative R. Hunter offers Amendment No. 9 which is adopted.

Representative Miller offers Amendment No. 10 which is adopted.

Representative Pope offers Amendment No. 11 which fails of adoption.

Representative Pope, having voted with the prevailing side, moves that the vote by which Amendment No. 6 was adopted be reconsidered.

Responding to inquiry, the Speaker rules the motion is in order.

The motion to reconsider the vote by which Amendment No. 6 was adopted fails by electronic vote (30-72).

Representative Mavretic offers Amendment No. 12.

Representative Mavretic calls the previous question on Amendment No. 12 and the call is sustained.

A division having been called, Amendment No. 12 fails of adoption by electronic vote (44-53).

Representative Mavretic offers Amendment No. 13 which is adopted.

Representative Mavretic offers Amendment No. 14 which fails of adoption.

Representative Miller offers Amendment No. 15 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Buchanan, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Diamont, Dickson, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gamble, Gist, Gottovi, Gray, Greenwood, Grimmer, Hardaway, Hasty, Hensley, Holmes, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McGee, McLawhorn, Mercer, Miller, Nesbitt, Nye, Oldham, Payne, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Tallent, Thompson, Warner, Wicker, Wilmoth, Withrow, Wood, and Woodard - 96.

Voting in the negative: Representatives Barnes, Decker, Dockham, Gardner, Hackney, Hege, Hightower, Kahl, McLaughlin, Morgan, Pope, and Stewart - 12.

Excused absences: Representatives Brubaker, Dial, Rhodes, Wainwright, and Wilson - 5.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 12, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on House Committee Substitute for S.B. 828, A BILL TO BE ENTITLED AN ACT TO REORGANIZE THE LANGUAGE OF A STATUTE IN ORDER TO MAKE THE STATUTE MORE READABLE AND TO PERMIT PUBLIC SCHOOL EMPLOYEES TO AUTHORIZE THE PERIODIC DEDUCTION FROM THEIR SALARIES

OF PAYMENTS TO THE EMPLOYEES' ASSOCIATION, to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

CONFERENCE REPORT

Representative R. Hunter sends forth the following Conference Report and moves its adoption.

S.B. 828

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on S.B. 828, A BILL TO BE ENTITLED AN ACT TO REORGANIZE THE LANGUAGE OF A STATUTE IN ORDER TO MAKE THE STATUTE MORE READABLE AND TO PERMIT PUBLIC SCHOOL EMPLOYEES TO AUTHORIZE THE PERIODIC DEDUCTION FROM THEIR SALARIES OF PAYMENTS TO THE EMPLOYEES' ASSOCIATION, House Committee Substitute, Third Edition engrossed,

wish to report as follows: The Senate concurs in the House Committee Substitute (Third Edition), with the following amendment:

on page 2, line 38, by rewriting the line to read:

"collective bargaining with the State, any political subdivision of the State, or any local school administrative unit. This"

The House agrees to the same.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 12 day of July, 1991.

*Conferees for the
Senate*

S/ Dennis J. Winner
S/ R. C. Soles, Jr.
S/ William W. Staton

*Conferees for the
House of Representatives*

S/ Robert Hunter
S/ Karen E. Gottovi
S/ Martin Nesbitt
S/ John H. Kerr III
S/ Robert J. Hensley, Jr.
S/ Anne C. Barnes

The Conference Report is adopted, by electronic vote (86-9), and the Senate is so notified by Special Message.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

Committee Substitute for **H.B. 776**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SIX MEMBERS OF THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION SHALL BE ELECTED FROM DISTRICTS, AND THREE SHALL BE ELECTED AT LARGE, is returned for concurrence in Senate amendment and placed on the Calendar for July 13.

Representative Kennedy moves that the rules be suspended and the bill be placed on tonight's Calendar. The motion fails by electronic vote (46-42). The Speaker rules this is not a two-thirds majority vote.

Committee Substitute for **H.B. 601**, A BILL TO BE ENTITLED AN ACT TO REGULATE THE LEASING OF RAILROAD CORRIDORS BY THE DEPARTMENT OF TRANSPORTATION FOR PUBLIC RECREATION PURPOSES, is returned for concurrence in two Senate amendments and placed on the Calendar for July 13.

Senate Committee Substitute for **H.B. 14**, A BILL TO BE ENTITLED AN ACT TO REVISE THE OPEN MEETINGS LAW AND THE EXECUTIVE BUDGET ACT IN ORDER TO ENHANCE OPEN GOVERNMENT, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 13.

Senate Committee Substitute for **H.B. 850**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO ADOPT RULES SPECIFYING MINIMUM INDEXING STANDARDS IN LAND RECORDS MANAGEMENT AND TO REQUIRE REGISTER OF DEEDS OFFICES TO COMPLY WITH THOSE INDEXING STANDARDS, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 13.

Committee Substitute for **H.B. 1106**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE JURISDICTION OF THE LEGISLATIVE ETHICS COMMITTEE, is returned for concurrence in Senate amendments and placed on the Calendar for July 13.

H.B. 366, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT OF SICK LEAVE CREDITABLE TOWARD RETIREMENT FOR LOCAL GOVERNMENT EMPLOYEES, is returned for concurrence in Senate amendment and placed on the Calendar for July 13.

S.B. 436, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STAGGERED TERMS FOR ALL MEMBERS OF THE PAROLE COMMISSION, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representatives Diamont and Nesbitt for the Committee on Appropriations:

Committee Substitute for **H.B. 57**, A BILL TO BE ENTITLED AN ACT TO CREATE A RAILROAD ADVISORY COMMISSION, without prejudice and recommendation that the bill be re-referred to the Committee on Rules, Appointments and Calendar.

Committee Substitute No. 2 for **S.B. 930**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF NOT IN EXCESS OF FORTY-FIVE MILLION DOLLARS BONDS OF THE STATE TO PROVIDE FUNDS, WITH ANY OTHER AVAILABLE FUNDS, FOR STATE CAPITAL FACILITIES, SUCH AUTHORIZED BONDS TO BE ISSUED WITHOUT AN ELECTION DURING THE BIENNIUM ENDED JUNE 30, 1993, IN AN AMOUNT NOT IN EXCESS OF THIS AUTHORIZED AMOUNT AND NOT IN EXCESS OF TWO-THIRDS OF THE AMOUNT BY WHICH THE STATE'S OUTSTANDING INDEBTEDNESS WILL HAVE BEEN REDUCED DURING THE 1989-91 BIENNIUM, with a favorable report as amended.

On motion of Representative Nesbitt, Committee Amendment No. 1 is adopted by electronic vote (80-15).

On motion of Representative Nesbitt, the bill, as amended, is re-referred to the Committee on Finance.

RE-REFERRAL

On motion of Representative Jack Hunt, **S.B. 270**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CAREER LIMITATION FOR EMPLOYER-APPROVED EDUCATIONAL LEAVES OF ABSENCE, is withdrawn from the Committee on Rules, Appointments and Calendar and re-referred to the Committee on Pensions and Retirement.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 12, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute for **S.B. 108**, A BILL TO BE ENTITLED AN ACT TO IMPROVE ADMINISTRATION OF THE SALES AND USE TAX BY INCREASING THE LICENSE TAXES, ALLOWING MORE SMALL RETAILERS TO FILE QUARTERLY SALES TAX RETURNS, AND EXTENDING THE LIMITATIONS PERIOD FOR ENFORCING LIABILITY AGAINST CERTAIN TRANSFEREES AND CORPORATE OFFICERS, AND TO MAKE TECHNICAL

CORRECTIONS TO THE REVENUE LAWS, and requests conferees. The President Pro Tempore appoints: Senators Winner, Smith, and Staton on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

CONFEREES ANNOUNCED

The Speaker announces the appointment of Representatives Lilley, Ramsey, and Brawley as conferees on House Committee Substitute for S.B. 108, A BILL TO BE ENTITLED AN ACT TO IMPROVE ADMINISTRATION OF THE SALES AND USE TAX BY INCREASING THE LICENSE TAXES, ALLOWING MORE SMALL RETAILERS TO FILE QUARTERLY SALES TAX RETURNS, AND EXTENDING THE LIMITATIONS PERIOD FOR ENFORCING LIABILITY AGAINST CERTAIN TRANSFEREES AND CORPORATE OFFICERS, AND TO MAKE TECHNICAL CORRECTIONS TO THE REVENUE LAWS, and the Senate is so notified by Special Message.

On motion of the Chair, the House recesses at 8:30 p.m.

RECESS

The House meets at 9:35 p.m. pursuant to recess and is called to order by Speaker Blue.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representatives Hackney and Miller for the Committee on Finance:

Committee Substitute No. 2 for S.B. 930, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF NOT IN EXCESS OF FORTY-FIVE MILLION DOLLARS BONDS OF THE STATE TO PROVIDE FUNDS, WITH ANY OTHER AVAILABLE FUNDS, FOR STATE CAPITAL FACILITIES, SUCH AUTHORIZED BONDS TO BE ISSUED WITHOUT AN ELECTION DURING THE BIENNIUM ENDED JUNE 30, 1993, IN AN AMOUNT NOT IN EXCESS OF THIS AUTHORIZED AMOUNT AND NOT IN EXCESS OF TWO-THIRDS OF THE AMOUNT BY WHICH THE STATE'S OUTSTANDING INDEBTEDNESS WILL HAVE BEEN REDUCED DURING THE 1989-91 BIENNIUM, with a favorable report.

On motion of Representative Hackney, the rules are suspended and the bill is placed on the Calendar for immediate consideration by electronic vote (68-1).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Barnhill, Beall, Black, Bowen, Bowie, Brawley, Brown, Buchanan, Chapin, Church, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Diamont, Dickson, Dockham, Ethridge, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Green, Greenwood, Hackney, Hardaway, Hasty, Hege, Hensley, H. Hunter, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Lewis, Lineberry, Loflin, Lutz, McAllister, McGee, Mercer, Morgan, Oldham, Payne, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Smith, Stewart, Tallent, Thompson, Wicker, Wilmoth, Withrow, and Woodard - 76.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Dial, Luebke, Rhodes, Wainwright, and Wilson - 6.

CONFERENCE REPORT

Representative Jeralds sends forth the following Conference Report and moves its adoption.

S.B. 816

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on S.B. 816, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING AMENDMENTS TO THE CERTIFICATE OF NEED STATUTES, Third Edition Engrossed 7/8/91,

wish to report as follows:

The Senate concurs in the Third Edition Engrossed 7/8/91, and the House and Senate agree to the following amendments:

on page 1, line 4, by rewriting that line to read:

"The General Assembly of North Carolina enacts:";

and on page 7, lines 10 - 20, by rewriting those lines to read:

"f. The offering of a health service by or on behalf of a health service facility if the service was not offered by or on behalf of the health service facility in the previous 12 months and if the annual operating costs of the service equal or exceed one million dollars (\$1,000,000), or the expansion of an existing health service when an annual operating cost of one million dollars (\$1,000,000) is directly associated with the offering of the expanded portion of the service;"

and on page 18, lines 3 - 8, by rewriting those lines to read:

"Sec. 10. This act is effective upon ratification and applies to applications for certificates of need submitted on or after the date of ratification."

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 12th day of July, 1991.

*Conferees for the
Senate*

S/ Roy a Cooper, III
S/ Howard F. Bryan
S/ Wendell H. Murphy
S/ Alexander P. Sands

*Conferees for the
House of Representatives*

S/ Luther R. Jeralds
S/ Ruth M. Easterling
S/ Edd Nye

The Conference Report is adopted, by electronic vote (84-0), and the Senate is so notified by Special Message.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Greenwood for the Committee on Pensions and Retirement:

Committee Substitute for **S.B. 270, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CAREER LIMITATION FOR EMPLOYER-APPROVED EDUCATIONAL LEAVES OF ABSENCE**, with a favorable report.

CONFERENCE REPORT

Representative Nesbitt sends forth the following Conference Report and moves its adoption.

H.B. 494

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on **H.B. 494, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE BUSINESS COMMUNITY TO FACILITATE STUDENT ACHIEVEMENT**, Senate Education Committee Substitute Adopted 6/13/91 wish to report as follows:

The House concurs in the Senate Education Committee Substitute Adopted 6/13/91 (third edition).

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 12th day of July, 1991.

*Conferees for the
Senate*

S/ J. Richard Conder
S/ Russell Walker
S/ Ralph A. Hunt

*Conferees for the
House of Representatives*

S/ Martin L. Nesbitt
S/ Anne C. Barnes
S/ Eugene Rogers
S/ Howard C. Barnhill
S/ James B. Black

The Conference Report is adopted, by electronic vote (88-0), and the Senate is so notified by Special Message.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representatives Diamont and Nesbitt for the Committee on Appropriations:

Committee Substitute for **H.B. 542**, A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE THE CHILD SUPPORT SYSTEM IN NORTH CAROLINA, with a favorable report, as amended.

CALENDAR (continued)

Committee Substitute for **S.B. 935**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MARRIAGE LICENSE FEE AND TO CREATE THE DOMESTIC VIOLENCE CENTER FUND.

On motion of Representative Redwine, Committee Amendment No. 3 is adopted.

REPRESENTATIVE WICKER, HOUSE MAJORITY LEADER, PRESIDING.

On motion of Representative Redwine, Committee Amendment No. 4 is adopted.

Representative Kimsey offers Amendment No. 5.

Responding to inquiry by Representative Hackney, the Chair rules that Amendment No. 5 is not germane to the title. The amendment is returned to Representative Kimsey.

Representative Kimsey moves that the rules be suspended in order to offer an amendment which changes the title.

On motion of Representative Redwine, seconded by Representative Cunningham, the motion to suspend the rules to offer an amendment which changes the title is tabled by electronic vote (68-27).

SPEAKER BLUE PRESIDING.

Representative Redwine calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowie, Bowman, Brown, Buchanan, Chapin, Church, Colton, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Gray, Greenwood, Grimmer, Hackney, Hasty, Hensley, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Isenhower, James, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Lilley, Lineberry, Loflin, Lutz, McAllister,

McGee, McLaughlin, Mavretic, Mercer, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wicker, Wilmoth, Withrow, Wood, and Woodard - 94.

Voting in the negative: Representatives Brawley and Decker - 2.

Excused absences: Representatives Brubaker, Dial, Luebke, Rhodes, Wainwright, and Wilson - 6.

Representative Redwine moves that the rules regarding fees be suspended in order for the bill to be read a third time.

Representative Redwine calls the previous question on the motion.

Representative Decker moves that the call for the previous question on the motion to suspend the rules be postponed indefinitely.

Representative Decker withdraws the motion to postpone indefinitely the call for the previous question.

The question before the House is the call for the previous question on the motion to suspend the fee rules in order for the bill to be read a third time and the call is sustained.

The question before the House is the motion to suspend the rules in order for the bill to be read a third time and this motion carries.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendments by Special Message.

Those voting in the affirmative are: Representatives Albertson, Anderson, Balmer, Barbee, Barnes, Barnhill, Beall, Beard, Black, Bowen, Bowman, Brown, Buchanan, Chapin, Church, Colton, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Diamont, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gamble, Gardner, Gist, Gottovi, Gray, Green, Greenwood, Grimmer, Hackney, Hardaway, Hasty, Hensley, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Isenhower, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, Loflin, Lutz, McAllister, McGee, Mavretic, Mercer, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rhyne, Robinson, Rogers, Russell, Smith, Stamey, Stewart, Tallent, Thompson, Wicker, Wilmoth, Withrow, Wood, and Woodard - 96.

Voting in the negative: Representatives Brawley and Decker - 2.

Excused absences: Representatives Brubaker, Dial, Luebke, Rhodes, Wainwright, and Wilson - 6.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

H.R. 1314, A HOUSE RESOLUTION HONORING THE MEMORY OF STEPHEN CABARRUS AND THE COUNTY OF CABARRUS AS IT PREPARES FOR ITS BICENTENNIAL OBSERVANCE, with recommendation that it be adopted.

S.J.R. 949, A JOINT RESOLUTION CONGRATULATING THE NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS AND THE NORTH CAROLINA COMMISSIONERS, with a favorable report.

S.J.R. 966, A JOINT RESOLUTION HONORING THE MEMBERS OF THE 1792 GENERAL ASSEMBLY, THE NINE CAPITAL COMMISSIONERS, AND ISSAC HUNTER ON THE 200TH ANNIVERSARY OF THE FOUNDING OF THE CITY OF RALEIGH AS THE CAPITAL OF NORTH CAROLINA, with a favorable report.

CONFERENCE REPORT

Representative Lilley sends forth the following Conference Report and moves its adoption.

S.B. 108

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on S.B. 108, A BILL TO BE ENTITLED AN ACT TO IMPROVE ADMINISTRATION OF THE SALES AND USE TAX BY INCREASING THE LICENSE TAXES, ALLOWING MORE SMALL RETAILERS TO FILE QUARTERLY SALES TAX RETURNS, AND EXTENDING THE LIMITATIONS PERIOD FOR ENFORCING LIABILITY AGAINST CERTAIN TRANSFEREES AND CORPORATE OFFICERS, AND TO MAKE TECHNICAL CORRECTIONS TO THE REVENUE LAWS, (Third Edition), submit the following report:

The Senate concurs in the House Committee Substitute with the following amendment and the House agrees to the following amendment:

on page 1, lines 12 and 13, page 3, line 13, and page 5, line 11, delete "ten dollars (\$10.00)" and substitute "fifteen dollars (\$15.00)";

and on page 2, line 19, and page 5, line 14, delete "twenty dollars (\$20.00)" and substitute "twenty-five dollars (\$25.00)".

The conferees recommend that the Senate and the House of Representatives adopt this report.

July 12, 1991.

*Conferees for the
Senate*

S/ Dennis Winner
S/ Paul Smith
S/ William Staton

*Conferees for the
House of Representatives*

S/ Dan Lilley
S/ Robert Brawley
S/ Liston Ramsey

The Conference Report is adopted, by electronic vote (94-2), and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

Senate Committee Substitute for **H.B. 126**, A BILL TO BE ENTITLED AN ACT TO EXTEND TO CERTAIN AIRPORT AUTHORITIES THE AUTHORITY TO PURCHASE PROPERTY SUBJECT TO A PURCHASE MONEY SECURITY INTEREST, is returned for concurrence in Senate committee substitute, which changes the title, and placed on the Calendar for July 13.

CALENDAR (continued)

Committee Substitute for **H.B. 1309**, A BILL TO BE ENTITLED AN ACT TO IMPROVE ELECTION ADMINISTRATION BY ALLOWING CHANGES IN SUPERIOR COURT JUDICIAL DISTRICT BOUNDARIES TO REFLECT CHANGES IN PRECINCT BOUNDARIES SINCE ENACTMENT OF THE PLAN, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 382**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE STACKING OF OVERWEIGHT PENALTIES.

Representative DeVane offers Amendment No. 1.

Responding to inquiry, the Speaker rules the amendment is out of order. The amendment is returned to Representative DeVane.

On motion of Representative Diamont, the bill is withdrawn from the Calendar and re-referred to the Committee on Appropriations by electronic vote (59-35).

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 12, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on House Committee Substitute for **S.B. 108**, A BILL TO BE ENTITLED AN ACT TO IMPROVE ADMINISTRATION OF THE SALES AND USE TAX BY INCREASING THE LICENSE TAXES, ALLOWING MORE SMALL RETAILERS TO FILE QUARTERLY SALES TAX RETURNS, AND EXTENDING THE LIMITATIONS PERIOD FOR ENFORCING LIABILITY AGAINST CERTAIN TRANSFEREES AND CORPORATE OFFICERS, AND TO MAKE TECHNICAL CORRECTIONS TO THE REVENUE LAWS, to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 12, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on House Committee Substitute for S.B. 816, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING AMENDMENTS TO THE CERTIFICATE OF NEED STATUTES, to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

H.J.R. 1313, A JOINT RESOLUTION HONORING THE MEMBERS OF THE 1792 GENERAL ASSEMBLY, THE NINE CAPITAL COMMISSIONERS, AND ISAAC HUNTER ON THE 200TH ANNIVERSARY OF THE FOUNDING OF THE CITY OF RALEIGH AS THE CAPITAL OF NORTH CAROLINA, with a favorable report.

By Representatives Diamont and Nesbitt for the Committee on Appropriations:

Committee Substitute for **S.B. 141**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FAMILY PRESERVATION SERVICES, TO ESTABLISH THE ADVISORY COMMITTEE ON FAMILY-CENTERED SERVICES, AND TO APPROPRIATE FUNDS FOR THE ADVISORY COMMITTEE ON FAMILY-CENTERED SERVICES, with a favorable report, as amended.

Representative Jack Hunt moves, seconded by Representative Cunningham, that subject to the reading of notices and announcements that the House do adjourn to reconvene on Saturday, July 13 at 10:00 a.m. This motion carries by electronic vote (81-7).

The House adjourns at 11:10 p.m. to reconvene July 13 at 10:00 a.m.

ONE HUNDRED FOURTH DAY

HOUSE OF REPRESENTATIVES

Saturday, July 13, 1991

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt for the Committee on Rules, Appointments and Calendar reports the Journal of July 12 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (93-0).

Leaves of absence are granted Representatives Barnhill, Brubaker, Dial, Michaux, Rhodes, Wainwright, and Warner for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 508, AN ACT TO ESTABLISH A FEE FOR FEED TESTING. (CHAPTER 649)

S.B. 580, AN ACT AUTHORIZING DURHAM COUNTY TO INCREASE ITS ROOM OCCUPANCY TAX FROM THREE PERCENT TO FIVE PERCENT AND PROVIDING FOR THE USE OF THE PROCEEDS OF THE TAX. (CHAPTER 665)

H.B. 80, AN ACT TO AUTHORIZE A REGIONAL TRANSPORTATION AUTHORITY TO LEVY A VEHICLE REGISTRATION TAX. (CHAPTER 666)

H.B. 479, AN ACT TO PROVIDE THAT CONSENT TO ADOPTION IS NOT REVOCABLE AFTER A CERTAIN PERIOD OF TIME AND TO AMEND THE PROCEDURES REGARDING LEGITIMATION OF CHILDREN. (CHAPTER 667)

H.B. 564, AN ACT TO REGULATE THE PRACTICE OF DIETETICS/NUTRITION. (CHAPTER 668)

H.B. 770, AN ACT TO CREATE A MIXED BEVERAGES CATERING PERMIT. (CHAPTER 669)

H.B. 881, AN ACT TO ESTABLISH THE FEE-BASED PRACTICING PASTORAL COUNSELORS CERTIFICATION ACT. (CHAPTER 670)

H.B. 1160, AN ACT TO REPEAL THE NONRESIDENT BEAR HUNTING LICENSE REQUIREMENT IN ORDER TO PROMOTE RECIPROCITY WITH THE STATE OF TENNESSEE AND TO LIMIT THE USE OF FISH TRAPS TO TAKE NONGAME FISH IN INLAND FISHING WATERS IN CERTAIN COUNTIES. (CHAPTER 671)

H.B. 64, AN ACT TO CONSOLIDATE AND SIMPLIFY THE SPECIAL LICENSE PLATE LAWS. (CHAPTER 672)

H.B. 281, AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ACQUIRE PROPERTY FOR NEW RAILROAD CORRIDORS AND TO ENTER INSTALLMENT CONTRACTS FOR THE PURCHASE OF RAILROAD CORRIDORS AND OTHER RAIL PROPERTY. (CHAPTER 673)

H.B. 547, AN ACT TO PROVIDE FOR PAYMENT OF EXCESS DAMAGES AGAINST A STATE EMPLOYEE FOR COLLECTING OR ADMINISTERING AN UNCONSTITUTIONAL TAX. (CHAPTER 674)

H.B. 1303, AN ACT TO ESTABLISH HOUSE OF REPRESENTATIVES DISTRICTS AND TO APPORTION SEATS IN THE HOUSE OF REPRESENTATIVES AMONG DISTRICTS. (CHAPTER 675)

S.B. 17, AN ACT TO ESTABLISH SENATORIAL DISTRICTS AND TO APPORTION SEATS IN THE SENATE AMONG DISTRICTS. (CHAPTER 676)

S.B. 42, AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE BANKING LAWS. (CHAPTER 677)

S.B. 58, AN ACT TO AUTHORIZE QUALIFIED DENTISTS TO ADMINISTER GENERAL ANESTHESIA. (CHAPTER 678)

S.B. 70, AN ACT TO AUTHORIZE FOREIGN BANKING OFFICES IN NORTH CAROLINA. (CHAPTER 679)

S.B. 91, AN ACT TO CREATE A SAVINGS BANK CHARTER IN NORTH CAROLINA. (CHAPTER 680)

S.B. 342, AN ACT TO AMEND AND IMPROVE THE INSURANCE LAWS ON THE MONITORING OF THE FINANCIAL CONDITION OF INSURANCE COMPANIES IN ACCORDANCE WITH THE FINANCIAL REGULATION STANDARDS AND INSURANCE DEPARTMENT ACCREDITATION PROGRAM OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS. (CHAPTER 681)

S.B. 384, AN ACT TO CHANGE THE PROCEDURE FOR ISSUING NONRESIDENT NONCOMPLIANCE REPORTS AND TO MAKE CHANGES REGARDING SUSPENSION AND REVOCATION OF DRIVERS LICENSES. (CHAPTER 682)

S.B. 426, AN ACT TO REVISE AND RECODIFY AS CHAPTER 10A THE STATUTES RELATING TO NOTARIES. (CHAPTER 683)

S.B. 505, AN ACT TO INCORPORATE THE TOWN OF WHITSETT IN GUILFORD COUNTY. (CHAPTER 684)

S.B. 716, AN ACT TO MAKE VARIOUS CHANGES TO LAWS PERMITTING GRAND JURIES TO INVESTIGATE DRUG-TRAFFICKING CHARGES. (CHAPTER 686)

S.B. 723, AN ACT TO ESTABLISH SAFEGUARDS FOR CONTROLLED SUBSTANCE EXAMINATIONS. (CHAPTER 687)

S.B. 828, AN ACT TO REORGANIZE THE LANGUAGE OF A STATUTE IN ORDER TO MAKE THE STATUTE MORE READABLE AND TO PERMIT PUBLIC SCHOOL EMPLOYEES TO AUTHORIZE THE PERIODIC DEDUCTION FROM THEIR SALARIES OF PAYMENTS TO THE EMPLOYEES' ASSOCIATION. (CHAPTER 688)

H.J.R. 1308, A JOINT RESOLUTION HONORING THE MEMORY OF JOSEPH CALDWELL AND COLONEL WILLIAM LENOIR ON THE SESQUICENTENNIAL OF CALDWELL COUNTY. (RESOLUTION 26)

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

Committee Substitute for **H.B. 1287**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ADMINISTRATIVE OFFICE OF THE COURTS, TO AUTHORIZE ADDITIONAL COURT PERSONNEL, AND TO ADJUST FEES IN THE GENERAL COURT OF JUSTICE, is returned for concurrence in two Senate amendments.

On motion of Representative Redwine, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Redwine, the House does not concur in the Senate amendments, by electronic vote (93-0), and conferees are requested.

The Speaker announces the appointment of Representatives Redwine, Nesbitt, Diamont, Flaherty, Miller, Cunningham, Wicker, Fitch, and Ramsey as conferees and the Senate is so notified by Special Message.

S.B. 340, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE NORTH CAROLINA ALARM SYSTEMS LICENSING ACT, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

CALENDAR

Action is taken on the following:

Conference Report on Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for **H.B. 83**, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET AND EXPANSION BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR OTHER PURPOSES; TO PROVIDE FOR BUDGET REFORM; AND TO PROVIDE FOR REVENUE RECONCILIATION.

Representative Hackney calls the previous question on the adoption of the Conference Report.

Representative Wicker moves, seconded by Representative Jack Hunt, that the call for the previous question be postponed indefinitely and that that motion do lie upon the table. This motion carries by electronic vote (77-31).

The question before the House is the call for the previous question on the adoption of the Conference Report and the call is sustained by electronic vote (85-24).

The Conference Report passes its third roll call reading for adoption, by the following vote, and the Senate is so notified by Special Message.

Those voting in the affirmative are: Representatives Albertson, Anderson, Barnes, Beall, Beard, Black, Bowen, Bowman, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Cunningham, Dawkins, DeVane, Diamont, Easterling, Ethridge, Fitch, Foster, Fussell, Gamble, Gist, Gottovi, Greenwood, Hackney, Hardaway, Hasty, Hensley, Hightower, Holt, Jack Hunt, Judy Hunt, Sam Hunt, H. Hunter, R. Hunter, Hurley, James, Jarrell, Jeffus, Jeralds, Jones, Jordan, Kahl, Kennedy, Kerr, Lilley, Lineberry, Luebke, Lutz, McLaughlin, McLawhorn, Mercer, Miller, Nesbitt, Nye, Oldham, Payne, Ramsey, Redwine, Rogers, Smith, Stamey, Thompson, Wicker, Wilmoth, Withrow, and Woodard - 69.

Voting in the negative: Representatives Abernethy, Balmer, Barbee, Bowie, Brawley, Brown, Buchanan, Creech, Culp, Decker, Dickson, Dockham, Esposito, Flaherty, Gardner, Grady, Gray, Grimmer, Hege, Holmes, Howard, Huffman, Isenhower, Justus, Kimsey, Lewis, Ligon, Loflin, McGee, Mavretic, Morgan, Pope, Privette, Rhyne, Robinson, Russell, Stewart, Tallent, Wilson, and Wood - 40.

Excused absences: Representatives Barnhill, Brubaker, Dial, Michaux, Rhodes, Wainwright, and Warner - 7.

(The Conference Committee Substitute bill may be found in its entirety in the Appendix.)

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 13, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on Senate Committee Substitute for H.B. 83, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET AND EXPANSION BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR OTHER PURPOSES; TO PROVIDE

FOR BUDGET REFORM; AND TO PROVIDE FOR REVENUE RECONCILIATION, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

CALENDAR (continued)

H.R. 1314, A HOUSE RESOLUTION HONORING THE MEMORY OF STEPHEN CABARRUS AND THE COUNTY OF CABARRUS AS IT PREPARES FOR ITS BICENTENNIAL OBSERVANCE.

On motion of Representative Privette, the resolution is adopted, by electronic vote (79-0), and is ordered printed. (The resolution in its entirety may be found in the Appendix.)

Senate Committee Substitute for H.B. 611, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ANY REDISTRICTING BY THE ALEXANDER COUNTY BOARD OF EDUCATION BE BY A TWO-THIRDS VOTE AND TO PROVIDE AN EFFECTIVE DATE FOR COTERMINOUS LINES IN THE GUILFORD COUNTY SCHOOL MERGER REFERENDUM.

On motion of Representative Buchanan, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Committee Substitute for H.B. 776, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SIX MEMBERS OF THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION SHALL BE ELECTED FROM DISTRICTS, AND THREE SHALL BE ELECTED AT LARGE.

Representative Kennedy calls the previous question on concurrence in Senate amendment and the call is sustained.

On motion of Representative Kennedy, the House concurs in the Senate amendment and the bill is ordered enrolled.

Senate Committee Substitute for H.B. 1010, A BILL TO BE ENTITLED AN ACT TO LICENSE WHOLESALE DRUG DISTRIBUTORS.

On motion of Representative Woodard, the House concurs in Senate Amendment No. 3 by electronic vote (70-0).

On motion of Representative Woodard, the House concurs in the Senate committee substitute, as amended, by electronic vote (74-0), and the bill is ordered enrolled.

House Committee Substitute for S.B. 350, A BILL TO BE ENTITLED AN ACT TO MODIFY LAWS AFFECTING THE

OPERATIONS OF THE STATE LIBRARY AND THE MUSEUM OF HISTORY.

Representative Colton offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (79-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

Senate Committee Substitute for House Committee Substitute No. 2 for **H.B. 734, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COLLEGIATE INSIGNIA REGISTRATION PLATES.**

On motion of Representative Stamey, the House does not concur in the Senate committee substitute, by electronic vote (68-2), and conferees are requested and the Senate is so notified by Special Message.

House Committee Substitute for **S.B. 788, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ENERGY DIVISION OF THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT AND THE DEPARTMENT OF ADMINISTRATION TO STUDY THE USE OF CLEAN TRANSPORTATION FUELS IN STATE-OWNED VEHICLES AND TO DEVELOP A DEMONSTRATION PROJECT USING NATURAL GAS AS THE FUEL FOR STATE-OWNED VEHICLES,** passes its second reading, by electronic vote (78-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Committee Substitute for **H.B. 601, A BILL TO BE ENTITLED AN ACT TO REGULATE THE LEASING OF RAILROAD CORRIDORS BY THE DEPARTMENT OF TRANSPORTATION FOR PUBLIC RECREATION PURPOSES.**

On motion of Representative Gamble, the House concurs in Senate Amendment No. 2 by electronic vote (80-0).

On motion of Representative Gamble, the House does not concur in Senate Amendment No. 3, by electronic vote (77-1), and conferees are requested.

The Speaker announces the appointment of Representatives Gamble, Barnes, and R. Hunter as conferees and the Senate is so notified by Special Message.

S.B. 358, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO IMPOSE A MONETARY PENALTY FOR VIOLATION OF RULES GOVERNING NUTRITION STANDARDS, passes its second reading, by electronic vote (75-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for **H.B. 850**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF SECRETARY OF STATE TO ADOPT RULES SPECIFYING MINIMUM INDEXING STANDARDS IN LAND RECORDS MANAGEMENT AND TO REQUIRE REGISTER OF DEEDS OFFICES TO COMPLY WITH THOSE INDEXING STANDARDS.

On motion of Representative Redwine, the House concurs in the Senate committee substitute, by electronic vote (74-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 1106**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE JURISDICTION OF THE LEGISLATIVE ETHICS COMMITTEE.

On motion of Representative Payne, the House concurs in Senate Amendment No. 2 by electronic vote (76-0).

On motion of Representative Payne, the House concurs in Senate Amendment No. 3, by electronic vote (73-0), and the bill is ordered enrolled.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 83, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET AND EXPANSION BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR OTHER PURPOSES; AND TO PROVIDE FOR BUDGET REFORM; AND TO PROVIDE FOR REVENUE RECONCILIATION. (CHAPTER 689)

CALENDAR (continued)

Senate Committee Substitute for **H.B. 14**, A BILL TO BE ENTITLED AN ACT TO REVISE THE OPEN MEETINGS LAW TO ENHANCE OPEN GOVERNMENT.

On motion of Representatives Miller and Pope, the House concurs in the Senate committee substitute, by electronic vote (82-0), and the bill is ordered enrolled.

H.B. 366, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT OF SICK LEAVE CREDITABLE TOWARD RETIREMENT FOR LOCAL GOVERNMENT EMPLOYEES.

On motion of Representative Greenwood, the House does not concur in the Senate amendment, by electronic vote (85-0), and conferees are requested and the Senate is so notified by Special Message.

Senate Committee Substitute for House Committee Substitute for **H.B. 126**, A BILL TO BE ENTITLED AN ACT TO EXTEND TO

CERTAIN AIRPORT AUTHORITIES AND CERTAIN SCHOOL DISTRICTS THE AUTHORITY TO PURCHASE PROPERTY SUBJECT TO A PURCHASE MONEY SECURITY INTEREST.

On motion of Representative Payne, the House does not concur in the Senate committee substitute, by electronic vote (77-0), and conferees are requested.

The Speaker announces the appointment of Representatives Payne, Brawley, and Hardaway as conferees and the Senate is so notified by Special Message.

Committee Substitute for **H.B. 542**, A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE THE CHILD SUPPORT SYSTEM IN NORTH CAROLINA.

On motion of Representative Barnes, Committee Amendments Nos. 1 and 2 are adopted.

The bill, as amended, passes its second reading, by electronic vote (78-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 13, 1991

Mr. Speaker:

Pursuant to your message received July 13, that the House of Representatives fails to concur in Senate Amendments No. 1 and No. 2 to Committee Substitute for **H.B. 1287**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ADMINISTRATIVE OFFICE OF THE COURTS, TO AUTHORIZE ADDITIONAL COURT PERSONNEL, AND TO ADJUST FEES IN THE GENERAL COURT OF JUSTICE, and requests conferees, the President Pro Tempore appoints: Senator Odom, Chairman; Senators Sands, Daniel, Winner, Ballance, and Richardson on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

CALENDAR (continued)

H.J.R. 1313, A JOINT RESOLUTION HONORING THE MEMBERS OF THE 1792 GENERAL ASSEMBLY, THE NINE CAPITAL COMMISSIONERS, AND ISAAC HUNTER ON THE 200TH ANNIVERSARY OF THE FOUNDING OF THE CITY OF RALEIGH AS THE CAPITAL OF NORTH CAROLINA.

On motion of Representative Hensley, consideration of the resolution is temporarily displaced in order that **S.J.R. 966** may be considered at this time.

S.J.R. 966, A JOINT RESOLUTION HONORING THE MEMBERS OF THE 1792 GENERAL ASSEMBLY, THE NINE CAPITAL COMMISSIONERS, AND ISSAC HUNTER ON THE 200TH ANNIVERSARY OF THE FOUNDING OF THE CITY OF RALEIGH AS THE CAPITAL OF NORTH CAROLINA, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 13, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on Senate Committee Substitute for **H.B. 494**, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE BUSINESS COMMUNITY TO FACILITATE STUDENT ACHIEVEMENT.

Pursuant to your message that your Honorable Body adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

On motion of the Chair, the House recesses at 1:55 p.m.

RECESS

The House meets at 2:38 p.m. pursuant to recess and is called to order by Speaker Blue.

CALENDAR (continued)

House Committee Substitute for **S.B. 433**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CASWELL COUNTY TO HOLD A REFERENDUM ON LONG-TERM SOLID WASTE OPTIONS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Committee Substitute for **S.B. 943**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF WATER WITHDRAWALS AND TRANSFERS OF ONE MILLION GALLONS OR MORE PER DAY.

Representative J. W. Crawford offers Amendment No. 2 which is adopted by electronic vote (81-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in two House amendments by Special Message.

Those voting in the affirmative are: Representatives Anderson, Balmer, Barbee, Barnes, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Dawkins, Decker, DeVane, Dickson, Dockham, Easterling, Ethridge, Fitch, Flaherty, Fussell, Gardner, Gottovi, Gray, Green, Grimmer, Hackney, Hasty, Hege, Hensley, Hightower, Holt, Howard, Huffman, H. Hunter, R. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jones, Jordan, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, McAllister, McGee, McLawhorn, Mavretic, Mercer, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Russell, Smith, Stamey, Stewart, Thompson, Wicker, Wilmoth, Wilson, and Wood - 80.

Voting in the negative: None.

Excused absences: Representatives Barnhill, Brubaker, Dial, Greenwood, James, Jeralds, Lutz, Michaux, Rhodes, Warner, and Withrow - 11.

House Committee Substitute for S.B. 775, A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW REGARDING TRUSTS.

Representative Kerr offers Amendment No. 2 which is adopted by electronic vote (75-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Balmer, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Chapin, Church, Colton, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, DeVane, Diamont, Dickson, Dockham, Easterling, Esposito, Fitch, Flaherty, Fussell, Gardner, Gottovi, Grady, Gray, Green, Grimmer, Hackney, Hasty, Hege, Hensley, Holt, Howard, Huffman, H. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Ramsey, Redwine, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wicker, Wilmoth, Wilson, and Wood - 79.

Voting in the negative: None.

Excused absences: Representatives Barnhill, Brubaker, Dial, Greenwood, James, Jeralds, Lutz, Michaux, Rhodes, Warner, and Withrow - 11.

Committee Substitute No. 2 for S.B. 930, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF NOT IN EXCESS OF FORTY-FIVE MILLION DOLLARS BONDS OF THE

STATE TO PROVIDE FUNDS, WITH ANY OTHER AVAILABLE FUNDS, FOR STATE CAPITAL FACILITIES, SUCH AUTHORIZED BONDS TO BE ISSUED WITHOUT AN ELECTION DURING THE BIENNIUM ENDED JUNE 30, 1993, IN AN AMOUNT NOT IN EXCESS OF THIS AUTHORIZED AMOUNT AND NOT IN EXCESS OF TWO-THIRDS OF THE AMOUNT BY WHICH THE STATE'S OUTSTANDING INDEBTEDNESS WILL HAVE BEEN REDUCED DURING THE 1989-91 BIENNIUM.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendments by Special Message.

Those voting in the affirmative are: Representatives Balmer, Barbee, Barnes, Beall, Black, Bowen, Bowie, Bowman, Brawley, Brown, Chapin, Church, Colton, N. J. Crawford, Culp, Cunningham, Dawkins, DeVane, Diamont, Dickson, Dockham, Easterling, Esposito, Fitch, Flaherty, Fussell, Gamble, Gardner, Gottovi, Grady, Gray, Green, Grimmer, Hackney, Hasty, Hege, Hensley, Hightower, Holt, Howard, Huffman, H. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kimsey, Lewis, Ligon, Lilley, Lineberry, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Morgan, Nesbitt, Nye, Oldham, Payne, Pope, Privette, Redwine, Rhyne, Russell, Smith, Stamey, Stewart, Wicker, Wilmoth, Wilson, and Wood - 79.

Voting in the negative: Representative Decker.

Excused absences: Representatives Barnhill, Brubaker, Dial, Greenwood, James, Jeralds, Lutz, Michaux, Rhodes, Warner, and Withrow - 11.

Committee Substitute No. 2 for S.B. 472, A BILL TO BE ENTITLED AN ACT TO REVISE THE DRIVERS LICENSE LAW TO HARMONIZE THE COMMERCIAL DRIVERS LICENSE PROVISIONS, TO CLARIFY THE EFFECT OF A DISQUALIFICATION TO DRIVE A COMMERCIAL MOTOR VEHICLE, AND TO IMPOSE A FEE FOR A MOTORCYCLE ENDORSEMENT, A COMMERCIAL LEARNER'S PERMIT, AND THE RESTORATION OF A LICENSE AFTER DISQUALIFICATION.

On motion of Representative Mavretic, Committee Amendment No. 2 is adopted.

On motion of Representative Hackney, Committee Amendment No. 3 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Anderson, Balmer, Barbee, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, DeVane, Diamont, Dickson, Dockham, Easterling, Esposito, Fitch, Flaherty,

Fussell, Gamble, Gardner, Gottovi, Grady, Green, Grimmer, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holt, Howard, Huffman, Hurley, Isenhower, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Lilley, Lineberry, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rogers, Russell, Smith, Stamey, Stewart, Thompson, Wicker, Wilmoth, Wilson, and Wood - 84.

Voting in the negative: Representative Ligon.

Excused absence: Representatives Barnhill, Brubaker, Dial, Greenwood, James, Jeralds, Lutz, Michaux, Rhodes, Warner, and Withrow - 11.

On motion of Representative Hackney, Rule 20(2) is suspended in order for the bill to be read a third time.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in three House amendments by Special Message.

Those voting in the affirmative are: Representatives Anderson, Balmer, Barbee, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, Decker, DeVane, Diamont, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fussell, Gardner, Gottovi, Grady, Green, Hackney, Hardaway, Hasty, Hege, Hensley, Holt, Howard, Huffman, Hurley, Isenhower, Jarrell, Jeffus, Jones, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, McAllister, McGee, McLaughlin, McLawhorn, Mavretic, Mercer, Miller, Morgan, Nesbitt, Nye, Oldham, Pope, Privette, Ramsey, Redwine, Rogers, Smith, Stamey, Stewart, Thompson, Wicker, Wilmoth, Wilson, and Wood - 81.

Voting in the negative: None.

Excused absence: Representatives Barnhill, Brubaker, Dial, Greenwood, James, Jeralds, Lutz, Michaux, Rhodes, Warner, and Withrow - 11.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

Senate Committee Substitute No. 2 for H.B. 985, A BILL TO BE ENTITLED AN ACT TO CLARIFY A CITY'S AUTHORITY TO REQUIRE PARTICIPATION IN ANY SOLID WASTE COLLECTION SERVICES PROVIDED BY THE CITY, is returned for concurrence in Senate committee substitute which changes the title.

On motion of Representative Payne, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Payne, the House concurs in the Senate committee substitute, by electronic vote (78-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 89**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REGISTRATION, IDENTIFICATION, AND REPORTING REQUIREMENTS FOR LOBBYISTS AND THEIR PRINCIPALS; AND TO PROHIBIT CAMPAIGN FUND-RAISING FROM LOBBYISTS FOR LEGISLATORS AND COUNCIL OF STATE MEMBERS WHILE THE GENERAL ASSEMBLY IS IN REGULAR SESSION, is returned for concurrence in Senate committee substitute which changes the title.

On motion of Representative Jones, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Jones, the House does not concur in the Senate committee substitute, by electronic vote (68-21), and conferees are requested.

The Speaker announces the appointment of Representatives Colton, Wicker, Rhyne, Fitch, Esposito, Jones, Nesbitt, Mavretic, and Stamey as conferees and the Senate is so notified by Special Message.

H.B. 408, A BILL TO BE ENTITLED AN ACT TO AMEND THE CERTIFICATE OF NEED LAW TO IMPROVE THE ABILITY TO PLAN FOR CHEMICAL DEPENDENCY TREATMENT BEDS AND TO MAKE CLEAR THAT THE STATE MEDICAL FACILITIES PLAN LIMITS THE NUMBER OF BEDS OR FACILITIES THAT MAY BE APPROVED, is returned for concurrence in Senate Amendment.

On motion of Representative Miller, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Miller, the House concurs in the Senate Amendment, by electronic vote (68-0), and the bill is ordered enrolled.

CALENDAR (continued)

S.B. 338, A BILL TO BE ENTITLED AN ACT TO RAISE MISCELLANEOUS FEES COLLECTED BY THE DEPARTMENT OF INSURANCE.

Representative Hackney offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Barnes, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Chapin, Church, N. J. Crawford, Culp, Cunningham, Dawkins, Dickson, Easterling, Ethridge, Fitch, Foster, Gamble, Grady, Green, Hackney, Hardaway, Hasty, Hensley, Holt, Hurley, Jarrell, Jeffus, Jordan, Kennedy, Kerr, Lewis, Lilley, Lineberry, McAllister, McGee, McLaughlin, Mavretic, Mercer, Miller, Nesbitt, Nye, Oldham, Privette, Ramsey, Redwine, Rogers, Smith, Stewart, Thompson, Wilmoth, and Wood - 55.

Voting in the negative: Representatives Balmer, Decker, Dockham, Esposito, Gardner, Hege, Howard, Justus, Kimsey, Loflin, Pope, Rhyne, Russell, and Wilson - 14.

Excused absences: Representatives Barbee, Barnhill, Brubaker, Dial, Greenwood, James, Jeralds, Lutz, Michaux, Rhodes, Warner, and Withrow - 12.

On motion of Representative Hardaway, Rule 20(2) is suspended in order that the bill may be read a third time.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Those voting in the affirmative are: Representatives Barnes, Beall, Beard, Black, Bowen, Bowie, Brown, Chapin, Church, N. J. Crawford, Culp, Cunningham, Dawkins, DeVane, Diamont, Dickson, Easterling, Ethridge, Fitch, Foster, Gamble, Green, Grimmer, Hackney, Hardaway, Hasty, Hensley, Hightower, Holt, H. Hunter, Hurley, Jarrell, Jeffus, Jordan, Kennedy, Kerr, Kimsey, Lilley, Lineberry, McAllister, McGee, McLaughlin, Mavretic, Mercer, Miller, Nesbitt, Nye, Oldham, Payne, Privette, Ramsey, Redwine, Rogers, Smith, Stewart, Thompson, Wilmoth, and Wood - 58.

Voting in the negative: Representatives Balmer, Brawley, Creech, Decker, Dockham, Esposito, Flaherty, Gardner, Grady, Hege, Howard, Huffman, Isenhower, Justus, Loflin, Pope, Rhyne, Russell, and Wilson - 19.

Excused absences: Representatives Barbee, Barnhill, Brubaker, Dial, Greenwood, James, Jeralds, Lutz, Michaux, Rhodes, Warner, and Withrow - 12.

House Committee Substitute for S.B. 649, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA AIR CARGO AIRPORT AUTHORITY, TO AUTHORIZE THE ISSUANCE OF REVENUE BONDS TO FINANCE AIRPORT AND INDUSTRIAL FACILITIES, TO AUTHORIZE UNITS OF LOCAL GOVERNMENT TO TAKE CERTAIN ACTIONS RELATED TO CARGO AIRPORT COMPLEXES, AND TO MAKE CONFORMING CHANGES TO OTHER STATUTES.

Representative Miller offers Amendment No. 16. which is adopted, by electronic vote (73-0).

Representative Hardaway offers Amendment No. 17 which is adopted by electronic vote (82-0).

Representative R. Hunter offers Amendment No. 18.

Representative R. Hunter calls the previous question on Amendment No. 18, and the call is sustained.

Amendment No. 18 is adopted by electronic vote (74-7).

Representative McLaughlin offers Amendment No. 19.

Representative McLaughlin calls the previous question on Amendment No. 19 and the call is sustained.

Amendment No. 19 is adopted by electronic vote (66-20).

Representative Miller calls the previous question on the passage of the bill.

Representative Pope moves that the call for the previous question be postponed indefinitely and this motion fails by electronic vote (27-63).

The motion before the House is the call for the previous question and the call is sustained by electronic vote (51-13).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Abernethy, Anderson, Balmer, Beall, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Creech, Culp, Cunningham, Dawkins, DeVane, Diamont, Dickson, Easterling, Esposito, Ethridge, Fitch, Flaherty, Foster, Fussell, Gottovi, Grady, Gray, Green, Grimmer, Hardaway, Hasty, Hensley, Huffman, H. Hunter, R. Hunter, Hurley, Isenhower, Jarrell, Jeffus, Jordan, Justus, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, McAllister, McGee, McLawhorn, Mercer, Miller, Nesbitt, Nye, Oldham, Payne, Privette, Ramsey, Redwine, Rhyne, Russell, Smith, Stamey, Thompson, Wicker, Wilmoth, and Wood - 76.

Voting in the negative: Representatives Barnes, Decker, Dockham, Hackney, Hege, Hightower, McLaughlin, Morgan, Pope, Stewart, and Wilson - 11.

Excused absences: Representatives Barbee, Barnhill, Brubaker, Dial, Greenwood, James, Jeralds, Lutz, Michaux, Rhodes, Warner, and Withrow - 12.

S.B. 766, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF JUSTICE MAY PROVIDE A CRIMINAL RECORD CHECK TO THE EMPLOYER OF A SCHOOL EMPLOYEE OR POTENTIAL EMPLOYEE WITH THE CONSENT OF THE EMPLOYEE OR APPLICANT.

Representative Anderson moves that the rules be suspended in order to offer an amendment which changes the title.

The Chair does not accept the motion.

Representative Dawkins calls the previous question on the passage of the bill, and the call is sustained.

The bill passes its second reading, by electronic vote (66-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 470, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MAGISTRATES TO ISSUE CUSTODY ORDERS FOR TRANSPORTATION OF CLIENTS BETWEEN TWENTY-FOUR-HOUR FACILITIES, passes its second reading, by electronic vote (68-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 485, A BILL TO BE ENTITLED AN ACT TO REFORM THE ELECTION LAWS**.

On motion of Representative Pope, Committee Amendment No. 1 is adopted.

On motion of Representative McLaughlin, the bill, as amended, is withdrawn from the Calendar and re-referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

House Committee Substitute for **S.B. 9, A BILL TO BE ENTITLED AN ACT TO MAKE THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION THE CHAIRMAN OF THE STATE BOARD OF EDUCATION**.

On motion of Representative Barnes, the bill is withdrawn from the Calendar and re-referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda.

S.B. 403, A BILL TO BE ENTITLED AN ACT TO PROVIDE INCREASED SENTENCES FOR CRIMES COMMITTED WITH ETHNIC ANIMOSITY.

Representative Holt moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

On motion of Representative DeVane, seconded by Representative Balmer, the motion to re-refer the bill is tabled by electronic vote (44-31).

The bill passes its second reading, by electronic vote (75-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 733, A BILL TO BE ENTITLED AN ACT TO QUALIFY THE STATE FOR FUNDING UNDER THE FEDERAL FARMS FOR THE FUTURE ACT.

On motion of Representative Loflin, Committee Amendment No. 2 is adopted.

On motion of Representative Ramsey, Committee Amendment No. 3 is adopted.

Representative Hackney calls the previous question on the passage of the bill.

Representative Decker moves that the call for the previous question be postponed indefinitely and this motion fails.

Representative Kerr moves that the call for the previous question be postponed indefinitely and that that motion do lie upon the table.

The Speaker rules the motion out of order.

The question before the House is the call for the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading by electronic vote (61-12).

Representative Balmer objects to the third reading. The bill remains on the Calendar.

Representative Hackney moves that the rules be suspended in order for the bill to be read a third time. This motion carries by electronic vote (54-21).

Representative Hackney calls the previous question on the passage of the bill on its third reading.

Representative Balmer moves that the call for the previous question be postponed indefinitely.

Representative Balmer withdraws the motion to postpone indefinitely the call for the previous question.

The motion before the House is the call for the previous question on the third reading and the call is sustained.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendments.

Committee Substitute for S.B. 434, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO WORKERS' COMPENSATION ACT AND TO INCREASE ASSESSMENTS BY THE INDUSTRIAL COMMISSION FOR THE SECOND INJURY FUND, passes its second reading, by electronic vote (73-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Representative Hackney moves, seconded by Representative Flaherty, that subject to reading of notices and announcements the House do now adjourn. This motion carries by electronic vote (69-5).

The House adjourns at 6:30 p.m. to reconvene Monday, July 15, 1991 at 2:15 p.m.

ONE HUNDRED FIFTH DAY

HOUSE OF REPRESENTATIVES
Monday, July 15, 1991

The House meets at 2:15 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of July 13 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (82-1).

Leaves of absence are granted Representatives Barnhill, Buchanan, Dial, Green, Greenwood, Sam Hunt, and Robinson for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 358, AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO IMPOSE A MONETARY PENALTY FOR VIOLATION OF RULES GOVERNING NUTRITION STANDARDS. (CHAPTER 691)

S.B. 816, AN ACT TO MAKE TECHNICAL AND CLARIFYING AMENDMENTS TO THE CERTIFICATE OF NEED STATUTES. (CHAPTER 692)

S.B. 935, AN ACT TO INCREASE THE MARRIAGE LICENSE FEE AND TO CREATE THE DOMESTIC VIOLENCE CENTER FUND. (CHAPTER 693)

H.B. 14, AN ACT TO REVISE THE OPEN MEETINGS LAW TO ENHANCE OPEN GOVERNMENT. (CHAPTER 694)

H.B. 611, AN ACT TO REQUIRE THAT ANY REDISTRICTING BY THE ALEXANDER COUNTY BOARD OF EDUCATION BE BY A TWO-THIRDS VOTE AND TO PROVIDE AN EFFECTIVE DATE FOR COTERMINOUS LINES IN THE GUILFORD COUNTY SCHOOL MERGER REFERENDUM. (CHAPTER 695)

H.B. 776, AN ACT TO PROVIDE THAT SIX MEMBERS OF THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION SHALL BE ELECTED FROM DISTRICTS, AND THREE SHALL BE ELECTED AT LARGE. (CHAPTER 696)

H.B. 850, AN ACT TO REQUIRE THE DEPARTMENT OF SECRETARY OF STATE TO ADOPT RULES SPECIFYING MINIMUM INDEXING STANDARDS IN LAND RECORDS MANAGEMENT AND TO REQUIRE REGISTER OF DEEDS OFFICES TO COMPLY WITH THOSE INDEXING STANDARDS. (CHAPTER 697)

H.B. 985, AN ACT TO CLARIFY A CITY'S AUTHORITY TO REQUIRE PARTICIPATION IN ANY SOLID WASTE COLLECTION SERVICES PROVIDED BY THE CITY AND TO AUTHORIZE THE CITY OF STATESVILLE TO EXEMPT CERTAIN PROPERTY FROM ASSESSMENTS. (CHAPTER 698)

H.B. 1010, AN ACT TO LICENSE WHOLESALE DRUG DISTRIBUTORS. (CHAPTER 699)

H.B. 1106, AN ACT TO EXPAND THE JURISDICTION OF THE LEGISLATIVE ETHICS COMMITTEE. (CHAPTER 700)

S.B. 403, AN ACT TO PROVIDE INCREASED SENTENCES FOR CRIMES COMMITTED WITH ETHNIC ANIMOSITY. (CHAPTER 702)

S.B. 434, AN ACT TO MAKE CERTAIN TECHNICAL AMENDMENTS TO WORKERS' COMPENSATION ACT AND TO INCREASE ASSESSMENTS BY THE INDUSTRIAL COMMISSION FOR THE SECOND INJURY FUND. (CHAPTER 703)

S.B. 470, AN ACT TO AUTHORIZE MAGISTRATES TO ISSUE CUSTODY ORDERS FOR TRANSPORTATION OF CLIENTS BETWEEN TWENTY-FOUR-HOUR FACILITIES. (CHAPTER 704)

S.B. 766, AN ACT TO PROVIDE THAT THE DEPARTMENT OF JUSTICE MAY PROVIDE A CRIMINAL RECORD CHECK TO THE EMPLOYER OF A SCHOOL EMPLOYEE OR POTENTIAL EMPLOYEE WITH THE CONSENT OF THE EMPLOYEE OR APPLICANT. (CHAPTER 705)

H.B. 494, AN ACT TO ENCOURAGE THE BUSINESS COMMUNITY TO FACILITATE STUDENT ACHIEVEMENT. (CHAPTER 706)

S.J.R. 966, A JOINT RESOLUTION HONORING THE MEMBERS OF THE 1792 GENERAL ASSEMBLY, THE NINE CAPITAL COMMISSIONERS, AND ISSAC HUNTER ON THE 200TH ANNIVERSARY OF THE FOUNDING OF THE CITY OF RALEIGH AS THE CAPITAL OF NORTH CAROLINA. (RESOLUTION 27)

CALENDAR

Action is taken on the following:

S.B. 670, A BILL TO BE ENTITLED AN ACT AUTHORIZING WILDLIFE PROTECTORS TO ASSIST IN THE ENFORCEMENT OF LAWS WHEN A CRIME HAS BEEN COMMITTED IN THEIR PRESENCE OR WHEN A STATE OR LOCAL LAW ENFORCEMENT OFFICER HAS REQUESTED THEIR ASSISTANCE.

On motion of Representative Dawkins, Committee Amendment No. 2 is adopted by electronic vote (83-1).

The bill, as amended, passes its third reading, by electronic vote (77-8), and is ordered sent to the Senate for concurrence in House amendments by Special Message.

H.J.R. 1313, A JOINT RESOLUTION HONORING THE MEMBERS OF THE 1792 GENERAL ASSEMBLY, THE NINE CAPITAL COMMISSIONERS, AND ISAAC HUNTER ON THE 200TH ANNIVERSARY OF THE FOUNDING OF THE CITY OF RALEIGH AS THE CAPITAL OF NORTH CAROLINA.

On motion of Representative Hensley, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Appointments and Calendar.

S.B. 652, A BILL TO BE ENTITLED AN ACT TO AMEND THE "CLEAN RISK" DEFINITION IN THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 539, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF REVENUE TO ESTABLISH THE TIME PERIOD FOR STAMPING CIGARETTES**, passes its second reading, by electronic vote (84-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

House Committee Substitute for **S.B. 151, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE NATURAL AND SCENIC RIVERS SYSTEM AND TO REQUIRE ZONING AND OTHER LAND-USE CONTROLS TO PROTECT DESIGNATED RIVERS**.

Representative R. Hunter offers Amendment No. 1 which is adopted.

Representative R. Hunter calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading by electronic vote (55-40).

Representative Kimsey objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **S.B. 814, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE ADVISORY COMMITTEE ON HOME AND COMMUNITY CARE FOR OLDER ADULTS**, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

House Committee Substitute for **S.B. 429, A BILL TO BE ENTITLED AN ACT TO AMEND THE UNEMPLOYMENT INSURANCE LAW PERTAINING TO HEARINGS**, passes its second reading, by electronic vote (89-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for **S.B. 324, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STUDENT ASSIGNMENT LAW AND TO PROVIDE FOR THE ASSIGNMENT OF CHILDREN OF HOMELESS INDIVIDUALS AND OF HOMELESS CHILDREN**.

Representative Fussell offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (92-1).

Representative Loflin objects to the third reading. The bill remains on the Calendar.

Representative Loflin withdraws his objection to the third reading.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute without engrossment by Special Message.

House Committee Substitute for **S.B. 758, A BILL TO BE ENTITLED AN ACT PERTAINING TO TRAINING REQUIREMENTS FOR TANNING EQUIPMENT OPERATORS**, passes its second reading, by electronic vote (87-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Committee Substitute for **S.B. 727, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGULATION OF BED AND BREAKFAST INNS**.

On motion of Representative Jarrell, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (90-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Committee Substitute for **S.B. 779, A BILL TO BE ENTITLED AN ACT TO REGULATE RENTAL HOUSING LISTING SERVICES**.

Representative Hardaway offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (82-3).

Representative Howard objects to the third reading. The bill remains on the Calendar.

Representative Howard withdraws her objection to the third reading.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Committee Substitute for **S.B. 485, A BILL TO BE ENTITLED AN ACT TO REFORM THE ELECTION LAWS**.

Representative Nesbitt moves that the vote by which the bill was withdrawn from the Calendar for July 13 and re-referred to the Committee on Courts, Justice, Constitutional Amendments and Referenda, be reconsidered.

Representative Nesbitt calls the previous question on the motion to reconsider the vote by which the bill was re-referred.

Representative Pope moves that the call for the previous question be postponed indefinitely and this motion fails.

The question before the House is the call for the previous question on the motion to reconsider the vote by which the bill was re-referred to committee and the call is sustained.

The question before the House is the motion to reconsider the vote by which the bill was re-referred to committee and this motion carries.

Now the question before the House is the motion to re-refer the bill to committee.

Representative McLaughlin withdraws the motion to re-refer the bill to committee.

Representative McLaughlin offers Amendment No. 2 which is adopted.

Representative Decker offers Amendment No. 3.

On motion of Representative Michaux, seconded by Representative Wicker, Amendment No. 3 is tabled by electronic vote (64-31).

The bill, as amended, passes its second reading by electronic vote (79-14).

Representative Decker objects to the third reading. The bill remains on the Calendar.

Representative Michaux moves that the rules be suspended in order for the bill to be read a third time. This motion carries by electronic vote (71-30).

The bill, as amended, passes its third reading, by electronic vote (92-10), and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Committee Substitute for S.B. 760, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING THE QUALIFICATIONS OF NURSING HOME ADMINISTRATORS, passes its second reading, by electronic vote (93-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 131, A BILL TO BE ENTITLED AN ACT TO ALLOW THE FILING OF AN AFFIDAVIT BY THE SECRETARY OF TRANSPORTATION OR BY AN OFFICER OF THE RAILROAD TO STATE AN INTENTION TO PRESERVE A RAILROAD EASEMENT FOR FUTURE TRANSPORTATION PURPOSES AND NEGATE THE PRESUMPTION OF ABANDONMENT.

On motion of Representative Stamey, the bill and amendment are withdrawn from the Calendar and re-referred to the Committee on Transportation.

Committee Substitute for **S.B. 41**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE SAVINGS INSTITUTIONS LAW, passes its second reading, by electronic vote (85-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute No. 2 for **S.B. 69**, A BILL TO BE ENTITLED AN ACT TO REGULATE THE TRANSMISSION OF MONEY AND THE SALE OF CHECKS.

On motion of Representative Hardaway, Committee Amendments Nos. 1 and 2 are adopted.

The bill, as amended, passes its second reading, by electronic vote (89-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendments by Special Message.

S.B. 506, A BILL TO BE ENTITLED AN ACT TO ADOPT OAK RIDGE MILITARY ACADEMY AS THE OFFICIAL STATE MILITARY ACADEMY.

On motion of Representative Rogers, Committee Amendment No. 1 is adopted.

Representative Holt offers Amendment No. 2.

The Speaker rules Amendment No. 2 is out of order.

Representative Holt withdraws Amendment No. 2.

Representative Holt moves the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary I. This motion fails.

The bill, as amended, passes its second reading, by electronic vote (90-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

House Committee Substitute for **S.B. 665**, A BILL TO BE ENTITLED AN ACT TO AMEND THE APPLICATION OF G.S. 160A-299 AND G.S. 153A-241 CONCERNING CITIES AND COUNTIES PERMANENTLY CLOSING STREETS AND ALLEYS.

Representative Hurley offers Amendment No. 1 which is adopted.

On motion of Representative Kerr, the bill, as amended, is withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

S.B. 263, A BILL TO BE ENTITLED AN ACT TO EXTEND THE PROPERTY TAX EXCLUSION FOR HISTORIC PRESERVATION PROPERTY TO INCLUDE LAND HELD AS A SITE TO WHICH AN HISTORIC BUILDING WILL BE MOVED, passes its second reading, by electronic vote (86-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

House Committee Substitute for S.B. 685, A BILL TO BE ENTITLED AN ACT TO PROVIDE NOTICE TO EACH SECURED PARTY OR OTHER PERSON CLAIMING AN INTEREST IN A MOTOR VEHICLE OR VESSEL, WHEN THE HOLDER OF A LIEN SEEKS TO ENFORCE THE LIEN, passes its second reading, by electronic vote (80-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for S.B. 451, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE INVESTIGATION AND ENFORCEMENT OF CRIMES AGAINST THE ENVIRONMENT, TO DECLARE UNLAWFUL DISCHARGES TO BE CRIMES AND TO ESTABLISH A THREE-YEAR STATUTE OF LIMITATION FOR THE COLLECTION OF CERTAIN ENVIRONMENTAL CIVIL PENALTIES, passes its second reading by electronic vote (84-0).

Representative Kerr objects to the third reading. The bill remains on the Calendar.

Representative Kerr withdraws his objection to the third reading.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

CONFERENCE REPORT

Representative Redwine sends forth the following Conference Report and moves its adoption.

Committee Substitute for H.B. 1287

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on H.B. 1287, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ADMINISTRATIVE OFFICE OF THE COURTS, TO AUTHORIZE ADDITIONAL COURT PERSONNEL, AND TO ADJUST FEES IN THE GENERAL COURT OF JUSTICE, House Committee Substitute Favorable 6/21/91

wish to report as follows:

The House concurs in Senate Amendment #1
The Senate recedes from Senate Amendment #2

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 15th day of July, 1991.

*Conferees for the
Senate*

S/ T. L. Odom
S/ Alexander P. Sands, III
S/ George B. Daniel
S/ Frank W. Ballance, Jr.
S/ Jim Richardson

*Conferees for the
House of Representatives*

S/ E. David Redwine
S/ Martin L. Nesbitt, Jr.
S/ David H. Diamont
S/ George W. Miller, Jr.
S/ W. Pete Cunningham
S/ Dennis A. Wicker
S/ Milton F. Fitch, Jr.
S/ Liston B. Ramsey

The Conference Report is adopted, by electronic vote (72-7), and the Senate is so notified by Special Message.

CALENDAR (continued)

S.B. 274, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SALE OF SURPLUS RIGHT-OF-WAY BY THE DEPARTMENT OF TRANSPORTATION.

On motion of Representative Stamey, the bill is withdrawn from the Calendar and re-referred to the Committee on Transportation.

Committee Substitute for **S.B. 707, A BILL TO BE ENTITLED AN ACT TO PROVIDE PROCEDURES FOR THE RETURN OF CONDEMNED PROPERTY.**

On motion of Representative Stamey, the bill is withdrawn from the Calendar and re-referred to the Committee on Transportation.

Committee Substitute for **S.B. 425, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE PERSONNEL COMMISSION TO ADOPT RULES FOR DISCIPLINARY ACTIONS,** passes its second reading by electronic vote (78-6).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

Representative Hackney withdraws his objection to the third reading.

Representative Dawkins offers Amendment No. 1 which is adopted by electronic vote (99-0).

The bill, as amended, passes its third reading, by electronic vote (101-3), and is ordered sent to the Senate for concurrence in House amendment by Special Message.

S.B. 655, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RESPECTIVE RESPONSIBILITIES OF THE COUNTIES AND OF THE STATE FOR THE EXPENSES INCURRED IN JURY SELECTION, passes its second reading, by electronic vote (90-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 253, A BILL TO BE ENTITLED AN ACT TO MAKE THE RECORDS AND INFORMATION USED IN**

CONNECTION WITH THE DEPARTMENT OF TRANSPORTATION'S BID ANALYSIS AND MANAGEMENT SYSTEM CONFIDENTIAL, passes its second reading, by electronic vote (80-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

House Committee Substitute for S.B. 694, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MANDATORY CERTIFICATION OF CLINICAL SOCIAL WORKERS, passes its second reading by electronic vote (81-2).

Representatives Rhyne and Huffman object to the third reading. The bill remains on the Calendar.

On motion of Representative J. W. Crawford, the rules are suspended in order for the bill to be read a third time.

The bill passes its third reading, by electronic vote (92-3), and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for S.B. 333, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO AND CORRECTIONS IN THE INSURANCE LAWS, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for S.B. 62, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS BOARDS AND COMMISSIONS UPON THE RECOMMENDATION OF THE PRESIDENT OF THE SENATE, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for S.B. 801, A BILL TO BE ENTITLED AN ACT TO FURTHER PROVIDE FOR THE SEPARATION OF POWERS BETWEEN THE LEGISLATIVE AND EXECUTIVE BRANCHES OF GOVERNMENT BY PROVIDING THAT THE PRESIDENT PRO TEMPORE OF THE SENATE RATHER THAN THE LIEUTENANT GOVERNOR SHALL MAKE APPOINTMENTS TO CERTAIN LEGISLATIVE COMMISSIONS AND COMMITTEES AND RETURNING EXCLUSIVE CONTROL OF THE USE OF LEGISLATIVE BUILDINGS TO THE LEGISLATIVE SERVICES COMMISSION, passes its second reading, by electronic vote (87-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

S.J.R. 949, A JOINT RESOLUTION CONGRATULATING THE NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM

STATE LAWS AND THE NORTH CAROLINA COMMISSIONERS, passes its second reading, by electronic vote (93-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

Committee Substitute for S.B. 270, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CAREER LIMITATION FOR EMPLOYER-APPROVED EDUCATIONAL LEAVES OF ABSENCE, passes its second reading, by electronic vote (93-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S.B. 141, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FAMILY PRESERVATION SERVICES, TO ESTABLISH THE ADVISORY COMMITTEE ON FAMILY-CENTERED SERVICES, AND TO APPROPRIATE FUNDS FOR THE ADVISORY COMMITTEE ON FAMILY-CENTERED SERVICES.

On motion of Representative Jeralds, the vote by which Amendment No. 2 was adopted on June 25 is reconsidered.

Representative Jones withdraws Amendment No. 2.

On motion of Representative Jeralds, Committee Amendment No. 3 is adopted.

Representative Nesbitt calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading by electronic vote (94-7).

Representative Hege objects to the third reading. The bill remains on the Calendar.

On motion of Representative Nesbitt, the rules are suspended in order for the bill to be read a third time.

Representative Pope offers Amendment No. 4 which is adopted by electronic vote (99-1).

Representative Hege offers Amendment No. 5 which is adopted by electronic vote (88-6).

Representative Nesbitt calls the previous question on the passage of the bill on its third reading.

Representative Decker moves that the call for the previous question be postponed indefinitely.

Representative Decker withdraws the motion to postpone indefinitely the call for the previous question.

The question before the House is the call for the previous question on the passage of the bill on the third reading and the call is sustained.

The bill, as amended, passes its third reading, by electronic vote (105-2), and is ordered sent to the Senate for concurrence in House amendments by Special Message.

RECALL FROM ENROLLING

On motion of Representative Miller, **H.B. 408, A BILL TO BE ENTITLED AN ACT TO AMEND THE CERTIFICATE OF NEED LAW TO IMPROVE THE ABILITY TO PLAN FOR CHEMICAL DEPENDENCY TREATMENT BEDS AND TO MAKE CLEAR THAT THE STATE MEDICAL FACILITIES PLAN LIMITS THE NUMBER OF BEDS OR FACILITIES THAT MAY BE APPROVED**, is recalled from the Enrolling Office for further consideration.

Representative Miller moves that the vote by which the House concurred in Senate amendment be reconsidered. This motion carries by electronic vote (102-1).

On motion of Representative Miller, the House does not concur in the Senate amendment, by electronic vote (103-0), and conferees are requested.

The Speaker announces the appointment of Representatives Miller, Jeralds, and Easterling as conferees and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

S.B. 405, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MARTIN LUTHER KING, JR. HOLIDAY COMMISSION, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 15, 1991

Mr. Speaker:

Pursuant to your message received July 13 that the House of Representatives fails to concur in Senate Committee Substitute for **H.B. 89, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REGISTRATION AND REPORTING REQUIREMENTS FOR LOBBYISTS AND THEIR PRINCIPALS; TO PROHIBIT CAMPAIGN FUND-RAISING FROM LOBBYISTS FOR LEGISLATORS AND COUNCIL OF STATE MEMBERS WHILE THE GENERAL ASSEMBLY IS IN REGULAR SESSION; AND TO REQUIRE REPORTING BY GROUPS EXPENDING SUBSTANTIAL SUMS OF MONEY ON LEGISLATORS AND COUNCIL OF STATE MEMBERS**, and requests conferees, the President Pro Tempore appoints: Senator Soles, Chairman; Senators Odom, Martin of Pitt, and Blackmon on the part of the Senate to confer with the committee appointed by your

Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 15, 1991

Mr. Speaker:

Pursuant to your message received July 13 that the House of Representatives fails to concur in Senate Committee Substitute for H.B. 126, A BILL TO BE ENTITLED AN ACT TO EXTEND TO CERTAIN AIRPORT AUTHORITIES AND CERTAIN SCHOOL DISTRICTS THE AUTHORITY TO PURCHASE PROPERTY SUBJECT TO A PURCHASE MONEY SECURITY INTEREST, and requests conferees, the President Pro Tempore appoints: Senator Bryan, Chairman; Senators Martin of Guilford and Block on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 15, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in House Amendment No. 1 to Committee Substitute No. 2 for S.B. 930, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF NOT IN EXCESS OF FORTY-FIVE MILLION DOLLARS BONDS OF THE STATE TO PROVIDE FUNDS, WITH ANY OTHER AVAILABLE FUNDS, FOR STATE CAPITAL FACILITIES, SUCH AUTHORIZED BONDS TO BE ISSUED WITHOUT AN ELECTION DURING THE BIENNIUM ENDED JUNE 30, 1993, IN AN AMOUNT NOT IN EXCESS OF THIS AUTHORIZED AMOUNT AND NOT IN EXCESS OF TWO-THIRDS OF THE AMOUNT BY WHICH THE STATE'S OUTSTANDING INDEBTEDNESS WILL HAVE BEEN REDUCED DURING THE 1989-91 BIENNIUM, and requests conferees. The President Pro Tempore appoints: Senator Plyler, Chairman; Senators Basnight, Lee, Conder, Daniel, and Hart-sell on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker announces the appointment of Representatives Nesbitt, Diamont, Hackney, Wicker, Gottovi, Miller, McAllister, and Robinson as conferees and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 15, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute for Committee Substitute for S.B. 649, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA AIR CARGO AIRPORT AUTHORITY, TO AUTHORIZE THE ISSUANCE OF REVENUE BONDS TO FINANCE AIRPORT AND INDUSTRIAL FACILITIES, TO AUTHORIZE UNITS OF LOCAL GOVERNMENT TO TAKE CERTAIN ACTIONS RELATED TO CARGO AIRPORT COMPLEXES, AND TO MAKE CONFORMING CHANGES TO OTHER STATUTES, and requests conferees. The President Pro Tempore appoints: Senator Hyde, Chairman; Senators Staton, Goldston, Cochrane, Sherron, and Odom on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker announces the appointment of Representatives Stamey and Miller, Chairmen; Representatives Fitch, Colton, Hardaway, R. Hunter, Wicker, and Rhodes as conferees and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 15, 1991

Mr. Speaker:

Pursuant to your message received July 15 that the House of Representatives fails to concur in Senate Amendment No. 3 to Committee Substitute for H.B. 601, A BILL TO BE ENTITLED AN ACT TO REGULATE THE LEASING OF RAILROAD CORRIDORS BY THE DEPARTMENT OF TRANSPORTATION FOR PUBLIC RECREATION PURPOSES, and requests conferees, the President Pro Tempore appoints: Senator Daniel, Chairman; Senators Basnight, Goldston, Block, and Allran on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 15, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on Senate Committee Substitute for H.B. 89, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REGISTRATION AND REPORTING REQUIREMENTS FOR LOBBYISTS AND THEIR PRINCIPALS; TO PROHIBIT CAMPAIGN FUND-RAISING FROM LOBBYISTS FOR LEGISLATORS AND COUNCIL OF STATE MEMBERS WHILE THE GENERAL ASSEMBLY IS IN REGULAR SESSION; AND TO REQUIRE REPORTING BY GROUPS EXPENDING SUBSTANTIAL SUMS OF MONEY ON LEGISLATORS AND COUNCIL OF STATE MEMBERS, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

CONFERENCE REPORT

Representative Colton sends forth the following Conference Report and moves its adoption.

Senate Committee Substitute for H.B. 89

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on H.B. 89, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REGISTRATION AND REPORTING REQUIREMENTS FOR LOBBYISTS AND THEIR PRINCIPALS; TO PROHIBIT CAMPAIGN FUND-RAISING FROM LOBBYISTS FOR LEGISLATORS AND COUNCIL OF STATE MEMBERS WHILE THE GENERAL ASSEMBLY IS IN REGULAR SESSION; AND TO REQUIRE REPORTING BY GROUPS EXPENDING SUBSTANTIAL SUMS OF MONEY ON LEGISLATORS AND COUNCIL OF STATE MEMBERS, Fifth Edition Engrossed 7/13/91

wish to report as follows:

The House concurs in the Senate Committee Substitute (5th Edition Engrossed 7/13/01) with the following amendments:

Page 1, line 3, by deleting the semicolon and inserting after the word "PRINCIPALS" the word "AND";

On page 1, lines 6-8, by deleting all of the language from and including the semicolon on line 6 through the word "MEMBERS" on line 8;

On page 1, line 11, by deleting the comma and substituting the word "AND";

On page 1, line 12, by deleting the comma and substituting a period;

On page 1, line 13, by deleting that line;

On page 2, lines 38-43, by deleting all of that language;

On page 2, line 44, by deleting "(6)" and substituting "(5)";

On page 3, line 6, by deleting "(7)" and substituting "(6)";

On page 3, line 18, by deleting "(8)" and substituting "(7)";

On page 3, line 21, by deleting "(9)" and substituting "(8)";

On page 3, line 24, by deleting "(10)" and substituting "(9)";

On page 8, line 3, by rewriting that line to read:

"(7) Members of the General Assembly.";

On page 8, lines 4 and 5, by rewriting those lines to read:

"(8) A person responding to inquiries from a member of the General Assembly, Assembly or a legislative employee, and who engages in no further";

On page 8, lines 26-37, by rewriting those lines to read:

"and definitions as are necessary to carry out the provisions of this Article.";

and the Senate agrees to the same.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 15th day of July, 1991.

*Conferees for the
Senate*

S/ R. C. Soles, Jr., Chairman
S/ John G. Blackmon
S/ Robert L. Martin
S/ T. LaFontine Odom

*Conferees for the
House of Representatives*

S/ Marie W. Colton, Chairman
S/ Walter B. Jones, Jr.
S/ Theresa H. Esposito
S/ Milton F. Fitch, Jr.
S/ Martin L. Nesbitt, Jr.
S/ Johnathan L. Rhyne, Jr.
S/ Peggy M. Stamey
S/ Dennis A. Wicker

The Conference Report, which changes the title, is adopted, by electronic vote (95-0) and the Senate is so notified by Special Message.

The Speaker orders the bill enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 15, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on Committee Substitute for H.B. 1287, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ADMINISTRATIVE OFFICE OF THE COURTS, TO AUTHORIZE ADDITIONAL

COURT PERSONNEL, AND TO ADJUST FEES IN THE GENERAL COURT OF JUSTICE.

Pursuant to your message that your Honorable Body adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

CONFERENCE REPORT

Representative Payne sends forth the following Conference Report and moves its adoption.

Committee Substitute for H.B. 126

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on H.B. 126, A BILL TO BE ENTITLED AN ACT TO EXTEND TO CERTAIN AIRPORT AUTHORITIES AND CERTAIN SCHOOL DISTRICTS THE AUTHORITY TO PURCHASE PROPERTY SUBJECT TO A PURCHASE MONEY SECURITY INTEREST, Senate Finance Committee Substitute, Third Edition,

wish to report as follows: The House concurs in the Senate Finance Committee Substitute (Third Edition), with the following amendment:

on page 2, lines 43-44, rewrite the lines to read:

"(6) A local school administrative unit (i) that is located in a county that has a population of over 90,000 according to the most recent federal decennial census and (ii) whose board of education is authorized to levy a school tax."

The Senate agrees to the same.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 15th day of July, 1991.

*Conferees for the
Senate*

S/ Franklin L. Block
S/ William N. Martin
S/ Howard F. Bryan

*Conferees for the
House of Representatives*

S/ Harry E. Payne, Jr.
S/ Robert Brawley
S/ Thomas C. Hardaway

The Conference Report is adopted, by electronic vote (98-0), and the Senate is so notified by Special Message.

RECALL FROM ENROLLING

The House requests the Senate to recall S.B. 108, A BILL TO BE ENTITLED AN ACT TO IMPROVE ADMINISTRATION OF THE

SALES AND USE TAX BY INCREASING THE LICENSE TAXES, ALLOWING MORE SMALL RETAILERS TO FILE QUARTERLY SALES TAX RETURNS, AND EXTENDING THE LIMITATIONS PERIOD FOR ENFORCING LIABILITY AGAINST CERTAIN TRANSFEREES AND CORPORATE OFFICERS, AND TO MAKE TECHNICAL CORRECTIONS TO THE REVENUE LAWS, from the Enrolling Office for further consideration by the House.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 15, 1991

Mr. Speaker:

Pursuant to your message requesting the Senate recall from enrolling House Committee Substitute for S.B. 108, A BILL TO BE ENTITLED AN ACT TO IMPROVE ADMINISTRATION OF THE SALES AND USE TAX BY INCREASING THE LICENSE TAXES, ALLOWING MORE SMALL RETAILERS TO FILE QUARTERLY SALES TAX RETURNS, AND EXTENDING THE LIMITATIONS PERIOD FOR ENFORCING LIABILITY AGAINST CERTAIN TRANSFEREES AND CORPORATE OFFICERS, AND TO MAKE TECHNICAL CORRECTIONS TO THE REVENUE LAWS, for further consideration by the House of Representatives upon the adoption of the Conference Report, the Senate has recalled the measure. The President has rescinded the order for enrollment, and the Senate awaits notification from your Honorable Body that the House has adopted the Conference Report.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker rules that the Conference Report adopted on July 12, 1991 to be material, thus constituting the first reading of the Report for adoption and the Report is now on the Calendar for its second roll call reading for adoption.

The Conference Report passes its second reading for adoption, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Anderson, Balmer, Barbee, Barnes, Beard, Black, Bowen, Bowie, Bowman, Brawley, Brown, Brubaker, Chapin, Church, Colton, J. W. Crawford, N. J. Crawford, Culp, Cunningham, Dawkins, DeVane, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Fussell, Gamble, Gardner, Gist, Gottovi, Gray, Green, Hackney, Hardaway, Hasty, Hege, Hensley, Hightower, Holmes, Holt, Howard, Huffman, Jack Hunt, Judy Hunt, R. Hunter, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lilley, Lineberry, Luebke, Lutz, McAllister, McGee, McLaughlin, McLawhorn, Mercer, Michaux, Miller, Morgan, Nesbitt, Nye, Oldham, Payne, Privette, Ramsey, Redwine, Rhodes, Rhyne, Rogers, Russell, Smith, Stewart, Thompson, Wainwright, Warner, Wilmoth, Wilson, Withrow, and Woodard - 95.

Voting in the negative: Representatives Creech, Decker, Lewis, Ligon, Loflin, Pope, and Wood - 7.

Excused absences: Representatives Barnhill, Beall, Buchanan, Dial, Greenwood, Sam Hunt, and Robinson - 7.

CONFERENCE REPORT

Representative Nesbitt sends forth the following Conference Report and moves its adoption.

Committee Substitute for S.B. 39

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on S.B. 39, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NO SAFE DRIVER INCENTIVE PLAN POINTS SHALL BE ASSESSED FOR THE FIRST ACCIDENT WITHIN THREE YEARS IF THERE IS PROPERTY DAMAGE ONLY AND NO MOVING VIOLATION INVOLVED, Third Edition Engrossed 4/16/91,

wish to report as follows:

The House concurs in the Third Edition Engrossed, and the House and Senate agree to the following amendment:

on page 1, lines 17-19, by rewriting those lines to read:

"preparation of the renewal of a policy; and (iv) the insured has been covered by liability insurance with the same company or company group continuously for at least the six months immediately preceding the accident. Notwithstanding (iv) of this subsection, if the insured has been covered by liability insurance with the same company or company group for at least six continuous months, some or all of which were after the accident, the insurance company shall remove any premium surcharge or assessment of points against the insured if requirements (i), (ii), and (iii) of this subsection are met. Also notwithstanding (iv) of this subsection, an insurance company may choose not to assess a premium surcharge or points against an insured who has been covered by liability insurance with that company or with the company's group for less than six months immediately preceding the accident, if requirements (i), (ii), and (iii) are met."

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 15th day of July, 1991.

*Conferees for the
Senate*

S/ Donald R. Kincaid
S/ William D. Goldston, Jr.
S/ T. LaFontine Odom

*Conferees for the
House of Representatives*

S/ Martin L. Nesbitt, Jr.
S/ Thomas C. Hardaway
S/ W. Stine Isenhower

The Conference Report is adopted, by electronic vote (99-2), and the Senate is so notified by Special Message.

VOTE RECONSIDERED

Representative Barnes moves that the vote by which **S.B. 9, A BILL TO BE ENTITLED AN ACT TO MAKE THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION THE CHAIRMAN OF THE STATE BOARD OF EDUCATION**, was re-referred to the committee on Courts, Justice, Constitutional Amendments and Referenda be reconsidered.

Representatives Barnes calls the previous question on the motion to reconsider the vote.

Representative Pope moves that the call for the previous question on the motion to reconsider the vote by which the bill was re-referred be postponed indefinitely.

Representative Pope withdraws the motion to postpone indefinitely the call for the previous question on the motion to reconsider the vote by which the bill was re-referred.

The call for the previous question on the motion to reconsider the vote by which the bill was re-referred to committee is sustained.

The question before the House is the motion to reconsider the vote by which the bill was re-referred to committee. This motion carries by electronic vote (69-33).

Representative Barnes withdraws her motion to re-refer the bill to committee.

SPECIAL MESSAGE FROM THE SENATE**SENATE CHAMBER**

July 15, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on Senate Committee Substitute for **H.B. 126, A BILL TO BE ENTITLED AN ACT TO EXTEND TO CERTAIN AIRPORT AUTHORITIES AND CERTAIN SCHOOL DISTRICTS THE AUTHORITY TO PURCHASE PROPERTY SUBJECT TO A PURCHASE MONEY SECURITY INTEREST**, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

On motion of the Chair, the House recesses at 6:35 p.m.

RECESS

The House meets at 8:40 p.m. pursuant to recess and is called to order by the Speaker.

REPRESENTATIVE WICKER, HOUSE MAJORITY LEADER, PRESIDING.

CALENDAR (continued)

Committee Substitute for **S.B. 438**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO PROTECT CERTAIN CONFIDENTIAL INFORMATION, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 392, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE TIME PERIOD FOR RENOUNCING A FUTURE INTEREST UNDER G. S. 31B-2 MAY DIFFER FROM THE TIME PERIOD FOR A QUALIFIED DISCLAIMER FOR FEDERAL ESTATE TAX PURPOSES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (86-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

House Committee Substitute for **S.B. 395**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE TERMINATION OF INEFFICIENT SMALL TRUSTS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND TO PERMIT REFORMATION OF CERTAIN CHARITABLE TRUSTS, passes its second reading, by electronic vote (85-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Committee Substitute for **S.B. 678**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH PENALTIES FOR THE CRIMINALLY NEGLIGENT USE OF A FIREARM WHILE HUNTING, passes its second reading by electronic vote (85-3).

Representative R. Hunter objects to the third reading. The bill remains on the Calendar.

House Committee Substitute for **S.B. 9**, A BILL TO BE ENTITLED AN ACT TO MAKE THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION THE CHAIRMAN OF THE STATE BOARD OF EDUCATION.

Representative Michaux offers Amendment No. 1 which is adopted by electronic vote (53-36).

Representative Michaux calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading by electronic vote (62-37).

Representative Diamont objects to the third reading. The bill remains on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 15, 1991

Mr. Speaker:

Pursuant to your message received July 15 that the House of Representatives fails to concur in Senate Amendment No. 1 to H.B. 408, A BILL TO BE ENTITLED AN ACT TO AMEND THE CERTIFICATE OF NEED LAW TO IMPROVE THE ABILITY TO PLAN FOR CHEMICAL DEPENDENCY TREATMENT BEDS AND TO MAKE CLEAR THAT THE STATE MEDICAL FACILITIES PLAN LIMITS THE NUMBER OF BEDS OR FACILITIES THAT MAY BE APPROVED, and requests conferees, the President Pro Tempore appoints: Senator Block, Chairman; Senators Cooper, Parnell, Forrester, and Walker on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

CONFERENCE REPORT

Representative Barnes sends forth the following Conference Report and moves its adoption.

H.B. 601

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on H.B. 601, A BILL TO BE ENTITLED AN ACT TO REGULATE THE LEASING OF RAILROAD CORRIDORS BY THE DEPARTMENT OF TRANSPORTATION FOR PUBLIC RECREATION PURPOSES, (Second Edition as amended), submit the following report:

- (1) The House concurs in Senate Amendment #2.
- (2) The Senate recedes from Senate Amendment #3.

The conferees recommend that the Senate and the House of Representatives adopt this report.

July 15, 1991.

*Conferees for the
Senate*

S/ George Daniel
S/ Austin Allran
S/ Marc Basnight
S/ Frank Block
S/ William Goldston

*Conferees for the
House of Representatives*

S/ John Gamble
S/ Anne Barnes
S/ Robert Hunter

The Conference Report is adopted, by electronic vote (92-0), and the Senate is so notified by Special Message.

CONFERENCE REPORT

Representative Miller sends forth the following Conference Report and moves its adoption.

H.B. 408

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on **H.B. 408** (as amended), A BILL TO BE ENTITLED AN ACT TO AMEND THE CERTIFICATE OF NEED LAW TO IMPROVE THE ABILITY TO PLAN FOR CHEMICAL DEPENDENCY TREATMENT BEDS AND TO MAKE CLEAR THAT THE STATE MEDICAL FACILITIES PLAN LIMITS THE NUMBER OF BEDS OR FACILITIES THAT MAY BE APPROVED, First Edition with unengrossed amendment, wish to report as follows:

The House concurs in Senate Amendment #1 (unengrossed), and the Senate and House agree to amending Amendment #1 as follows:

on page 2, lines 6 - 8, by rewriting those lines to read:

"Sec. 4. This act becomes effective October 1, 1991, and applies to applications submitted on and after that date."

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 15th day of July, 1991.

*Conferees for the
Senate*

S/ Roy A. Cooper, III
S/ Franklin L. Block
S/ David R. Parnell
S/ James Forrester
S/ Russell Walker

*Conferees for the
House of Representatives*

S/ George Miller
S/ Ruth Easterling
S/ Luther Jeralds

The Conference Report is adopted, by electronic vote (85-0), and the Senate is so notified by Special Message.

REPORTS OF COMMITTEE

The following reports from standing committee are presented:

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

H.B. 274, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of Representative Jack Hunt, the rules are suspended and the committee substitute bill is placed on tonight's Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1261, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN INDEPENDENT STUDY COMMISSION TO STUDY THE RELATIONSHIP BETWEEN LOCAL INFRASTRUCTURE, CONSERVATION OF NATURAL RESOURCES AND LAND RESOURCES MANAGEMENT IN THE STATE MOUNTAIN AREAS, with a favorable report as to committee substitute bill, as amended, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

On motion of Representative Jeralds, Committee Amendment No. 1 is adopted.

On motion of Representative Ramsey, Committee Amendment No. 2 is adopted.

On motion of Representative Miller, Committee Amendment No. 3 is adopted.

The committee substitute bill, as amended, is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

S.B. 584, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM TO PROVIDE OFF-STREET PARKING AT REDUCED RATES OR WITHOUT CHARGE TO PERSONS RESIDING IN THE DOWNTOWN AREA OF THE CITY, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of Representative Miller, the rules are suspended and the House committee substitute bill is placed on the Calendar for July 16. The original bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

Committee Substitute for **S.B. 910**, A BILL TO BE ENTITLED AN ACT TO MAKE NECESSARY STATUTORY CHANGES TO KEEP CURRENT THE LEGISLATIVE REDISTRICTING SYSTEM, is read the first time and referred to the Committee on Legislative and Local Redistricting.

Committee Substitute for **S.B. 917**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMITTEES AND COMMISSIONS, TO MAKE APPROPRIATIONS THEREFOR, TO DIRECT VARIOUS STATE AGENCIES TO STUDY SPECIFIED ISSUES, AND TO MAKE OTHER AMENDMENTS TO THE LAW, is read the first time and referred to the Committee on Appropriations.

Committee Substitute for **H.B. 1309**, A BILL TO BE ENTITLED AN ACT TO IMPROVE ELECTION ADMINISTRATION BY ALLOWING CHANGES IN SUPERIOR COURT JUDICIAL DISTRICT BOUNDARIES TO REFLECT CHANGES IN PRECINCT BOUNDARIES SINCE ENACTMENT OF THE PLAN, is returned for concurrence in Senate amendment.

On motion of Representative Fitch, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Fitch, the House concurs in the Senate amendment, by electronic vote (87-1), and the bill is ordered enrolled.

CALENDAR (continued)

H.B. 274, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, passes its second reading, by electronic vote (88-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

The Speaker announces the dismissal of Representative Robinson as a conferee on **S.B. 930**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF NOT IN EXCESS OF FORTY-FIVE MILLION DOLLARS BONDS OF THE STATE TO PROVIDE FUNDS, WITH ANY OTHER AVAILABLE FUNDS, FOR STATE CAPITAL FACILITIES, SUCH AUTHORIZED BONDS TO BE ISSUED WITHOUT AN ELECTION DURING THE BIENNIUM ENDED JUNE 30, 1993, IN AN AMOUNT NOT IN EXCESS OF THIS AUTHORIZED AMOUNT AND NOT IN EXCESS OF TWO-THIRDS OF THE AMOUNT BY WHICH THE STATE'S OUTSTANDING INDEBTEDNESS WILL HAVE BEEN REDUCED DURING THE 1989-91 BIENNIUM, and appoints Representative Morgan as a conferee.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 15, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on Committee Substitute for **S.B. 39**, A BILL TO BE ENTITLED AN

ACT TO PROVIDE THAT NO SAFE DRIVER INCENTIVE PLAN POINTS SHALL BE ASSESSED FOR THE FIRST ACCIDENT WITHIN THREE YEARS IF THERE IS PROPERTY DAMAGE ONLY AND NO MOVING VIOLATION INVOLVED, to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

On motion of Representative Jack Hunt, seconded by Representative Hege, the House adjourns at 10:36 p.m. to reconvene July 16 at 10:30 a.m.

ONE HUNDRED SIXTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, July 16, 1991

The House meets at 10:30 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James W. McGinnis, House Chaplain.

Representative Jack Hunt, for the Committee on Rules, Appointments and Calendar reports the Journal of July 15 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barnhill, Beall, Buchanan, Dial, Gamble, Greenwood, Sam Hunt, McGee, Oldham, and Robinson for today.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

Senate Committee Substitute No. 2 for **H.B. 929**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE LAW, is returned for concurrence in Senate committee substitute, which changes the title, and referred to the Committee on Appropriations.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 565, AN ACT TO ESTABLISH THE POPLAR TENT BEAUTIFICATION DISTRICT IN CABARRUS COUNTY, TO PROVIDE FOR LAND USE PLANNING IN THE DISTRICT, AND TO MAKE SEVERAL LOCAL MODIFICATIONS APPLICABLE WITHIN CABARRUS COUNTY. (CHAPTER 685)

S.B. 41, AN ACT TO MAKE TECHNICAL CHANGES TO THE SAVINGS INSTITUTIONS LAW. (CHAPTER 707)

S.B. 539, AN ACT TO AUTHORIZE THE DEPARTMENT OF REVENUE TO ESTABLISH THE TIME PERIOD FOR STAMPING CIGARETTES. (CHAPTER 708)

S.B. 652, AN ACT TO AMEND THE "CLEAN RISK" DEFINITION IN THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY. (CHAPTER 709)

S.B. 760, AN ACT TO AMEND THE LAW CONCERNING THE QUALIFICATIONS OF NURSING HOME ADMINISTRATORS. (CHAPTER 710)

S.B. 814, AN ACT TO AMEND THE LAW RELATING TO THE ADVISORY COMMITTEE ON HOME AND COMMUNITY CARE FOR OLDER ADULTS. (CHAPTER 711)

S.B. 943, AN ACT TO REQUIRE THE REGISTRATION OF WATER WITHDRAWALS AND TRANSFERS OF ONE MILLION GALLONS OR MORE PER DAY. (CHAPTER 712)

S.B. 39, AN ACT TO PROVIDE THAT NO SAFE DRIVER INCENTIVE PLAN POINTS SHALL BE ASSESSED FOR THE FIRST ACCIDENT WITHIN THREE YEARS IF THERE IS PROPERTY DAMAGE ONLY AND NO MOVING VIOLATION INVOLVED. (CHAPTER 713)

S.B. 62, AN ACT TO APPOINT PERSONS TO VARIOUS BOARDS AND COMMISSIONS UPON THE RECOMMENDATION OF THE PRESIDENT OF THE SENATE. (CHAPTER 714)

S.B. 69, AN ACT TO REGULATE THE TRANSMISSION OF MONEY AND THE SALE OF CHECKS. (CHAPTER 715)

S.B. 253, AN ACT TO MAKE THE RECORDS AND INFORMATION USED IN CONNECTION WITH THE DEPARTMENT OF TRANSPORTATION'S BID ANALYSIS AND MANAGEMENT SYSTEM CONFIDENTIAL. (CHAPTER 716)

S.B. 263, AN ACT TO EXTEND THE PROPERTY TAX EXCLUSION FOR HISTORIC PRESERVATION PROPERTY TO INCLUDE LAND HELD AS A SITE TO WHICH AN HISTORIC BUILDING WILL BE MOVED. (CHAPTER 717)

S.B. 270, AN ACT TO INCREASE THE CAREER LIMITATION FOR EMPLOYER-APPROVED EDUCATIONAL LEAVES OF ABSENCE. (CHAPTER 718)

S.B. 324, AN ACT TO CLARIFY THE STUDENT ASSIGNMENT LAW AND TO PROVIDE FOR THE ASSIGNMENT OF CHILDREN OF HOMELESS INDIVIDUALS AND OF HOMELESS CHILDREN. (CHAPTER 719)

S.B. 333, AN ACT TO MAKE TECHNICAL AMENDMENTS TO AND CORRECTIONS IN THE INSURANCE LAWS. (CHAPTER 720)

S.B. 338, AN ACT TO RAISE MISCELLANEOUS FEES COLLECTED BY THE DEPARTMENT OF INSURANCE. (CHAPTER 721)

S.B. 425, AN ACT TO AUTHORIZE THE STATE PERSONNEL COMMISSION TO ADOPT RULES FOR DISCIPLINARY ACTIONS. (CHAPTER 722)

S.B. 429, AN ACT TO AMEND THE UNEMPLOYMENT INSURANCE LAW PERTAINING TO HEARINGS. (CHAPTER 723)

S.B. 433, AN ACT TO AUTHORIZE CASWELL COUNTY TO HOLD A REFERENDUM ON LONG-TERM SOLID WASTE OPTIONS. (CHAPTER 724)

S.B. 451, AN ACT TO IMPROVE THE INVESTIGATION AND ENFORCEMENT OF CRIMES AGAINST THE ENVIRONMENT, TO DECLARE UNLAWFUL DISCHARGES TO BE CRIMES AND TO ESTABLISH A THREE-YEAR STATUTE OF LIMITATION FOR THE COLLECTION OF CERTAIN ENVIRONMENTAL CIVIL PENALTIES. (CHAPTER 725)

S.B. 472, AN ACT TO REVISE THE DRIVERS LICENSE LAW TO HARMONIZE THE COMMERCIAL DRIVERS LICENSE PROVISIONS WITH THE REGULAR DRIVERS LICENSE PROVISIONS, TO CLARIFY THE EFFECT OF A DISQUALIFICATION TO DRIVE A COMMERCIAL MOTOR VEHICLE, AND TO IMPOSE A FEE FOR A MOTORCYCLE ENDORSEMENT, A COMMERCIAL LEARNER'S PERMIT, AND THE RESTORATION OF A LICENSE AFTER DISQUALIFICATION. (CHAPTER 726)

S.B. 485, AN ACT TO REFORM THE ELECTION LAWS. (CHAPTER 727)

S.B. 506, AN ACT TO ADOPT OAK RIDGE MILITARY ACADEMY AS THE OFFICIAL STATE MILITARY ACADEMY. (CHAPTER 728)

S.B. 655, AN ACT TO CLARIFY THE RESPECTIVE RESPONSIBILITIES OF THE COUNTIES AND OF THE STATE FOR THE EXPENSES INCURRED IN JURY SELECTION. (CHAPTER 729)

S.B. 670, AN ACT AUTHORIZING WILDLIFE PROTECTORS TO ASSIST IN THE ENFORCEMENT OF LAWS WHEN A CRIME HAS BEEN COMMITTED IN THEIR PRESENCE OR WHEN A STATE OR LOCAL LAW ENFORCEMENT OFFICER HAS REQUESTED THEIR ASSISTANCE. (CHAPTER 730)

S.B. 685, AN ACT TO PROVIDE NOTICE TO EACH SECURED PARTY OR OTHER PERSON CLAIMING AN INTEREST IN A MOTOR VEHICLE OR VESSEL, WHEN THE HOLDER OF A LIEN SEEKS TO ENFORCE THE LIEN. (CHAPTER 731)

S.B. 694, AN ACT TO PROVIDE FOR MANDATORY CERTIFICATION OF CLINICAL SOCIAL WORKERS. (CHAPTER 732)

S.B. 727, AN ACT TO PROVIDE FOR THE REGULATION OF BED AND BREAKFAST INNS. (CHAPTER 733)

S.B. 733, AN ACT TO QUALIFY THE STATE FOR FUNDING UNDER THE FEDERAL FARMS FOR THE FUTURE ACT. (CHAPTER 734)

S.B. 758, AN ACT PERTAINING TO TRAINING REQUIREMENTS FOR TANNING EQUIPMENT OPERATORS. (CHAPTER 735)

S.B. 775, AN ACT TO MODIFY THE LAW REGARDING TRUSTS. (CHAPTER 736)

S.B. 779, AN ACT TO REGULATE RENTAL HOUSING LISTING SERVICES. (CHAPTER 737)

S.B. 788, AN ACT TO REQUIRE THE ENERGY DIVISION OF THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT AND THE DEPARTMENT OF ADMINISTRATION TO STUDY THE USE OF CLEAN TRANSPORTATION FUELS IN STATE-OWNED VEHICLES AND TO DEVELOP A DEMONSTRATION PROJECT USING NATURAL GAS AS THE FUEL FOR STATE-OWNED VEHICLES. (CHAPTER 738)

S.B. 801, AN ACT TO FURTHER PROVIDE FOR THE SEPARATION OF POWERS BETWEEN THE LEGISLATIVE AND EXECUTIVE BRANCHES OF GOVERNMENT BY PROVIDING THAT THE PRESIDENT PRO TEMPORE OF THE SENATE RATHER THAN THE LIEUTENANT GOVERNOR SHALL MAKE APPOINTMENTS TO CERTAIN LEGISLATIVE COMMISSIONS AND COMMITTEES AND RETURNING EXCLUSIVE CONTROL OF THE USE OF LEGISLATIVE BUILDINGS TO THE LEGISLATIVE SERVICES COMMISSION. (CHAPTER 739)

H.B. 89, AN ACT TO CHANGE THE REGISTRATION AND REPORTING REQUIREMENTS FOR LOBBYISTS AND THEIR PRINCIPALS AND TO PROHIBIT CAMPAIGN FUND-RAISING FROM LOBBYISTS FOR LEGISLATORS AND COUNCIL OF STATE MEMBERS WHILE THE GENERAL ASSEMBLY IS IN REGULAR SESSION. (CHAPTER 740)

H.B. 126, AN ACT TO EXTEND TO CERTAIN AIRPORT AUTHORITIES AND CERTAIN SCHOOL DISTRICTS THE AUTHORITY TO PURCHASE PROPERTY SUBJECT TO A PURCHASE MONEY SECURITY INTEREST. (CHAPTER 741)

H.B. 1287, AN ACT TO APPROPRIATE FUNDS TO THE ADMINISTRATIVE OFFICE OF THE COURTS, TO AUTHORIZE ADDITIONAL COURT PERSONNEL, AND TO ADJUST FEES IN THE GENERAL COURT OF JUSTICE. (CHAPTER 742)

S.B. 141, AN ACT TO PROVIDE FOR FAMILY PRESERVATION SERVICES, TO ESTABLISH THE ADVISORY COMMITTEE ON FAMILY-CENTERED SERVICES, AND TO APPROPRIATE FUNDS FOR THE ADVISORY COMMITTEE ON FAMILY-CENTERED SERVICES. (CHAPTER 743)

S.B. 392, AN ACT TO CLARIFY THAT THE TIME PERIOD FOR RENOUNCING A FUTURE INTEREST UNDER G. S. 31B-2 MAY DIFFER FROM THE TIME PERIOD FOR A QUALIFIED DISCLAIMER FOR FEDERAL ESTATE TAX PURPOSES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (CHAPTER 744)

S.B. 438, AN ACT TO ALLOW THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO PROTECT CERTAIN CONFIDENTIAL INFORMATION. (CHAPTER 745)

H.B. 1309, AN ACT TO IMPROVE ELECTION ADMINISTRATION BY ALLOWING CHANGES IN SUPERIOR COURT JUDICIAL DISTRICT BOUNDARIES TO REFLECT CHANGES IN PRECINCT BOUNDARIES SINCE ENACTMENT OF THE PLAN. (CHAPTER 746)

S.J.R. 949, A JOINT RESOLUTION CONGRATULATING THE NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS AND THE NORTH CAROLINA COMMISSIONERS. (RESOLUTION 28)

CALENDAR

Action is taken on the following:

CONFERENCE REPORT FOR ADOPTION

House Committee Substitute for **S.B. 108**, A BILL TO BE ENTITLED AN ACT TO IMPROVE ADMINISTRATION OF THE SALES AND USE TAX BY INCREASING THE LICENSE TAXES, ALLOWING MORE SMALL RETAILERS TO FILE QUARTERLY SALES TAX RETURNS, AND EXTENDING THE LIMITATIONS PERIOD FOR ENFORCING LIABILITY AGAINST CERTAIN TRANSFEREES AND CORPORATE OFFICERS, AND TO MAKE TECHNICAL CORRECTIONS TO THE REVENUE LAWS.

The Conference Report passes its third roll call reading for adoption, by the following vote, and the Senate is so notified by Special Message.

Those voting in the affirmative are: Representatives Abernethy, Albertson, Balmer, Barbee, Barnes, Bowen, Bowie, Bowman, Brawley, Brown, Chapin, Church, Colton, J. W. Crawford, Creech, Culp, Cunningham, Dawkins, Dickson, Dockham, Easterling, Esposito, Ethridge, Fitch, Flaherty, Fletcher, Foster, Fussell, Gardner, Gottovi, Grady, Green, Hackney, Hasty, Hege, Hensley, Hightower, Holt, Howard, Huffman, Judy Hunt, Hurley, Isenhower, James, Jarrell, Jeffus, Jeralds, Jordan, Justus, Kahl, Kennedy, Kerr, Kimsey, Lewis, Ligon, Lilley, Lineberry, Loflin, Luebke, Lutz, McAllister, McLaughlin, McLawhorn, Mercer, Michaux, Morgan, Nesbitt, Nye, Pope, Privette, Ramsey, Redwine, Rhodes, Rogers, Smith, Stewart, Thompson, Warner, Wilmoth, Wilson, Withrow, Wood and Woodard - 83.

Voting in the negative: Representatives Decker and Rhyne - 2.

Excused absences: Representatives Barnhill, Beall, Buchanan, Dial, Gamble, Greenwood, Sam Hunt, McGee, Oldham, and Robinson - 10.

House Committee Substitute for S.B. 584, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM TO PROVIDE OFF-STREET PARKING AT REDUCED RATES OR WITHOUT CHARGE TO PERSONS RESIDING IN THE DOWNTOWN AREA OF THE CITY AND TO AUTHORIZE THE DURHAM COMMISSIONERS TO PROVIDE FOR A REFERENDUM ON SCHOOL MERGER.

On motion of Representative Miller, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Appointments and Calendar.

House Committee Substitute for S.B. 9, A BILL TO BE ENTITLED AN ACT TO MAKE THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION THE CHAIRMAN OF THE STATE BOARD OF EDUCATION.

The bill, as amended, passes its third reading, by electronic vote (58-30), and is ordered sent to the Senate for concurrence in House committee substitute without engrossment by Special Message.

House Committee Substitute for S.B. 151, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE NATURAL AND SCENIC RIVERS SYSTEM AND TO REQUIRE ZONING AND OTHER LAND-USE CONTROLS TO PROTECT DESIGNATED RIVERS.

The bill fails to pass its third reading by electronic vote (40-51).

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 16, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on H.B. 408, A BILL TO BE ENTITLED AN ACT TO AMEND THE CERTIFICATE OF NEED LAW TO IMPROVE THE ABILITY TO PLAN FOR CHEMICAL DEPENDENCY TREATMENT BEDS AND TO MAKE CLEAR THAT THE STATE MEDICAL FACILITIES PLAN LIMITS THE NUMBER OF BEDS OR FACILITIES THAT MAY BE APPROVED.

Pursuant to your message that your Honorable Body adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

GUESTS

The Speaker extends the courtesies of the Gallery to Godelieve Rowohl, a member of the European Parliament, representing West Germany, along with her husband and four children.

CALENDAR (continued)

Committee Substitute for S.B. 678, A BILL TO BE ENTITLED AN ACT TO ESTABLISH PENALTIES FOR THE CRIMINALLY NEGLIGENT USE OF A FIREARM WHILE HUNTING.

Representative Dawkins calls the previous question on the passage of the bill and the call is sustained.

The bill passes its third reading, by electronic vote (65-22), and is ordered enrolled.

SUSPENSION OF RULES TO PLACE ON CALENDAR

On motion of Representative Nesbitt, the rules are suspended and Committee Substitute for S.B. 917, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMITTEES AND COMMISSIONS, TO MAKE APPROPRIATIONS THEREFOR, TO DIRECT VARIOUS STATE AGENCIES TO STUDY SPECIFIED ISSUES, AND TO MAKE OTHER AMENDMENTS TO THE LAW, is withdrawn from the Committee on Appropriations and placed on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 16, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives respectfully requesting the return of Committee Substitute for S.B. 917, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMITTEES AND COMMISSIONS, TO MAKE APPROPRIATIONS THEREFOR, TO DIRECT VARIOUS STATE AGENCIES TO STUDY SPECIFIED ISSUES, AND TO MAKE OTHER AMENDMENTS TO THE LAW, for further consideration by the Senate.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The bill is withdrawn from the Calendar and returned to the Senate.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 16, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on Committee Substitute for H.B. 601, A BILL TO BE ENTITLED

AN ACT TO REGULATE THE LEASING OF RAILROAD CORRIDORS BY THE DEPARTMENT OF TRANSPORTATION FOR PUBLIC RECREATION PURPOSES.

Pursuant to your message that your Honorable Body adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

CONFERENCE REPORT

Representative Stamey sends forth the following Conference Report and moves its adoption.

House Committee Substitute for S.B. 649

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on S.B. 649, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA AIR CARGO AIRPORT AUTHORITY, TO AUTHORIZE THE ISSUANCE OF REVENUE BONDS TO FINANCE AIRPORT AND INDUSTRIAL FACILITIES, TO AUTHORIZE UNITS OF LOCAL GOVERNMENT TO TAKE CERTAIN ACTIONS RELATED TO CARGO AIRPORT COMPLEXES, AND TO MAKE CONFORMING CHANGES TO OTHER STATUTES, Fifth Edition Engrossed 7/13/91,

wish to report as follows:

The Senate concurs in the House Committee Substitute, as amended, Fifth Edition Engrossed 7/13/91 with the following amendment:

on page 10, lines 32 and 33, by rewriting those lines to read:

"(d) Site selection. In selecting a site for a cargo airport complex, the Authority shall consider comprehensive plans and land-use regulations adopted by local governments and the capability of local governments to provide services as specified in subdivisions (1) through (3) of this subsection. This subsection shall not be construed to require the Authority to comply with any local ordinance, regulation, or plan except as may be otherwise specifically provided by federal or State law, regulation, or rule. Plans, regulations, and capabilities to be considered are:";

And the House concurs in the same.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 16th day of July, 1991.

*Conferees for the
Senate*

S/ Herbert L. Hyde, Cochairman
S/ William D. Goldston, Jr.
S/ Thomas LaFontine Odom
S/ J. K. Sherron, Jr.
S/ William W. Staton
S/ Betsy L. Cochrane

*Conferees for the
House of Representatives*

S/ George W. Miller, Jr.,
Cochairman
S/ Peggy M. Stamey,
Cochairman
S/ Marie W. Colton
S/ Milton F. Fitch, Jr.
S/ Thomas C. Hardaway
S/ Robert C. Hunter
S/ Frank E. Rhodes
S/ Dennis A. Wicker

The Conference Report is adopted, by electronic vote (81-2), and the Senate is so notified by Special Message.

SUSPENSION OF RULES TO PLACE ON CALENDAR

On motion of Representative Nesbitt, the rules are suspended and Senate Committee Substitute No. 2 for **H.B. 929, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE LAW**, is withdrawn from the Committee on Appropriations and placed on the Calendar for immediate consideration.

On motion of Representative Nesbitt, the House does not concur in Senate Committee Substitute No. 2, by electronic vote (68-0), and conferees are requested.

The Speaker announces the appointment of Representatives Diamont, Nesbitt, Payne, Flaherty, Barnes, Jeralds, and Kennedy as conferees and the Senate is so notified by Special Message.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate.

Committee Substitute for **S.B. 917, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMITTEES AND COMMISSIONS, TO MAKE APPROPRIATIONS THEREFOR, TO DIRECT VARIOUS STATE AGENCIES TO STUDY SPECIFIED ISSUES, AND TO MAKE OTHER AMENDMENTS TO THE LAW**, is read the first time and referred to the Committee on Appropriations.

S.B. 103, A BILL TO BE ENTITLED AN ACT TO CLARIFY SUBCHAPTER S CORPORATION LOSS CARRYFORWARDS, is read the first time and referred to the Committee on Finance.

H.B. 1014, A BILL TO BE ENTITLED AN ACT TO RESTORE THE TRADITIONAL CHRISTMAS HOLIDAY SCHEDULE TO STATE EMPLOYEES, is returned for concurrence in Senate Amendment No. 2.

On motion of Representative Fitch, the rules are suspended and the bill is placed on the Calendar for immediate consideration by electronic vote (65-19).

On motion of Representative Fitch, the House concurs in the Senate amendment, by electronic vote (69-16), and the bill is ordered enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 16, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on House Committee Substitute for S.B. 649, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA AIR CARGO AIRPORT AUTHORITY, TO AUTHORIZE THE ISSUANCE OF REVENUE BONDS TO FINANCE AIRPORT AND INDUSTRIAL FACILITIES, TO AUTHORIZE UNITS OF LOCAL GOVERNMENT TO TAKE CERTAIN ACTIONS RELATED TO CARGO AIRPORT COMPLEXES, AND TO MAKE CONFORMING CHANGES TO OTHER STATUTES.

Pursuant to the message that your Honorable Body has adopted the report of the conferees, the President has ordered the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

On motion of the Chair, the House recesses at 12:23 p.m.

RECESS

The House meets at 2:50 p.m. pursuant to recess and is called to order by the Speaker.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representatives Diamont and Nesbitt for the Committee on Appropriations:

Committee Substitute for S.B. 917, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMITTEES AND COMMISSIONS, TO MAKE APPROPRIATIONS THEREFOR, TO DIRECT VARIOUS STATE AGENCIES TO STUDY SPECIFIED ISSUES, AND TO MAKE OTHER AMENDMENTS TO THE LAW, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

On motion of Representative Diamont, the rules are suspended and the House committee substitute bill is placed on the Calendar for immediate consideration. The Senate committee substitute bill is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

VOTE RECONSIDERED

Representative Nesbitt moves that the vote by which the House failed to concur in Senate amendment to **H.B. 366, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT OF SICK LEAVE CREDITABLE TOWARD RETIREMENT FOR LOCAL GOVERNMENT EMPLOYEES**, be reconsidered. This motion carries by electronic vote (87-2).

The question before the House is the motion that the House do not concur in Senate amendment. This motion fails by electronic vote (29-57).

On motion of Representative Nesbitt, the House concurs in the Senate amendment, by electronic vote (88-0), and the bill is ordered enrolled.

SUSPENSION OF RULES TO PLACE ON CALENDAR

On motion of Representative Miller, the rules are suspended and **S.B. 103, A BILL TO BE ENTITLED AN ACT TO CLARIFY SUBCHAPTER S CORPORATION LOSS CARRYFORWARDS**, is withdrawn from the Committee on Finance and placed on the Calendar for immediate consideration.

The bill passes its second reading, by electronic vote (90-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 108, AN ACT TO IMPROVE ADMINISTRATION OF THE SALES AND USE TAX BY INCREASING THE LICENSE TAXES, ALLOWING MORE SMALL RETAILERS TO FILE QUARTERLY SALES TAX RETURNS, AND EXTENDING THE LIMITATIONS PERIOD FOR ENFORCING LIABILITY AGAINST CERTAIN TRANSFEREES AND CORPORATE OFFICERS, AND TO MAKE TECHNICAL CORRECTIONS TO THE REVENUE LAWS. (CHAPTER 690)

H.B. 408, AN ACT TO AMEND THE CERTIFICATE OF NEED LAW TO IMPROVE THE ABILITY TO PLAN FOR CHEMICAL DEPENDENCY TREATMENT BEDS AND TO MAKE CLEAR THAT THE STATE MEDICAL FACILITIES PLAN LIMITS THE NUMBER OF BEDS OR FACILITIES THAT MAY BE APPROVED. (CHAPTER 701)

S.B. 395, AN ACT TO PROVIDE FOR THE TERMINATION OF INEFFICIENT SMALL TRUSTS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND TO PERMIT REFORMATION OF CERTAIN CHARITABLE TRUSTS. (CHAPTER 747)

S.B. 678, AN ACT TO ESTABLISH PENALTIES FOR THE CRIMINALLY NEGLIGENT USE OF A FIREARM WHILE HUNTING. (CHAPTER 748)

S.B. 649, AN ACT TO CREATE THE NORTH CAROLINA AIR CARGO AIRPORT AUTHORITY, TO AUTHORIZE THE ISSUANCE OF REVENUE BONDS TO FINANCE AIRPORT AND INDUSTRIAL FACILITIES, TO AUTHORIZE UNITS OF LOCAL GOVERNMENT TO TAKE CERTAIN ACTIONS RELATED TO CARGO AIRPORT COMPLEXES, AND TO MAKE CONFORMING CHANGES TO OTHER STATUTES. (CHAPTER 749)

H.B. 1014, AN ACT TO RESTORE THE TRADITIONAL CHRISTMAS HOLIDAY SCHEDULE TO STATE EMPLOYEES. (CHAPTER 750)

H.B. 601, AN ACT TO REGULATE THE LEASING OF RAILROAD CORRIDORS BY THE DEPARTMENT OF TRANSPORTATION FOR PUBLIC RECREATION PURPOSES. (CHAPTER 751)

H.J.R. 121, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THOMAS MEREDITH, ON THE OCCASION OF THE CENTENNIAL OF THE GRANTING OF THE CHARTER TO BAPTIST FEMALE UNIVERSITY (MEREDITH COLLEGE) BY THE NORTH CAROLINA GENERAL ASSEMBLY. (RESOLUTION 29)

On motion of the Chair, the House recesses at 3:20 p.m.

RECESS

The House meets at 6:10 p.m. pursuant to recess and is called to order by the Speaker.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 16, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in House Committee Substitute for **S.B. 350**, A BILL TO BE ENTITLED AN ACT TO MODIFY LAWS AFFECTING THE OPERATIONS OF THE STATE LIBRARY AND THE MUSEUM OF HISTORY, and requests conferees. The President Pro Tempore appoints: Senator Sherron, Chairman; Senators Sands and Cochrane on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker announces the appointment of Representatives Colton, Hasty, and Cunningham as conferees and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 16, 1991

Mr. Speaker:

Pursuant to your message received July 16, 1991, that the House of Representatives fails to concur in Senate Committee Substitute No. 2 for H.B. 929, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND OTHER CHANGES TO THE LAW, and requests conferees, the President Pro Tempore appoints: Senator Lee, Chairman; Senators Block and Daughtry on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 16, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that, pursuant to Senate Rule 57.1, the President of the Senate has ruled that House Committee Substitute for S.B. 9, A BILL TO BE ENTITLED AN ACT TO MAKE THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION THE CHAIRMAN OF THE STATE BOARD OF EDUCATION, not germane.

On motion, the measure is ordered returned to your Honorable Body.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill returned to the Senate by Special Message and requests that Honorable Body to reconsider the ruling pursuant to Senate Rule 57.1 as to the germaneness of the House Committee Substitute.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

S.B. 790, A BILL TO BE ENTITLED AN ACT TO EQUALIZE PER DIEM PAYMENTS FOR OCCUPATIONAL LICENSING BOARD MEMBERS, is read the first time and referred to the Committee on Rules, Appointments and Calendar.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 103, AN ACT TO CLARIFY SUBCHAPTER S CORPORATION LOSS CARRYFORWARDS. (CHAPTER 752)

H.B. 366, AN ACT TO INCREASE THE AMOUNT OF SICK LEAVE CREDITABLE TOWARD RETIREMENT FOR LOCAL GOVERNMENT EMPLOYEES. (CHAPTER 753)

On motion of the Chair, the House recesses at 6:15 p.m.

RECESS

The House meets at 6:50 p.m. pursuant to recess and is called to order by Speaker Blue.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 16, 1991

Mr. Speaker:

Pursuant to your message received July 16 that the House of Representatives fails to concur in Senate Committee Substitute for **H.B. 734, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COLLEGIATE INSIGNIA REGISTRATION PLATES**, and requests conferees, the President Pro Tempore appoints: Senator Winner, Chairman; Senators Perdue, Forrester, and Sherron on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker announces the appointment of Representatives Hackney, Stamey, and Cunningham as conferees and the Senate is so notified by Special Message.

REPORT OF COMMITTEE

The following report from standing committee is presented:

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

H.B. 748, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES-2, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of Representative Jack Hunt, the rules are suspended and the committee substitute bill is placed on the Calendar for immediate consideration. The original bill is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (70-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

CONFERENCE REPORT

Representative Colton sends forth the following Conference Report and moves its adoption.

House Committee Substitute for S.B. 350

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on **S.B. 350, A BILL TO BE ENTITLED AN ACT TO MODIFY LAWS AFFECTING THE OPERATIONS OF THE STATE LIBRARY AND THE MUSEUM OF HISTORY**, Third Edition engrossed 7/13/91

wish to report as follows: The Senate concurs in the House Committee Substitute with the following amendment:

on page 5, lines 15-17 by rewriting those lines to read:
"at in a public manner, consistent with rules adopted by the Secretary of Administration pursuant to G.S. 143-53, and allowing for the submission of proposals or bids by all interested parties regardless of nationality, religion, race, gender or age. Subject to the provisions of Article 3, Chapter 143 of the General Statutes, the Department may enter into an";

and the House agrees to the same.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 16th day of July, 1991.

*Conferees for the
Senate*

S/ J. K. Sherron, Jr.
S/ Betsy L. Cochran
S/ A. P. "Sandy" Sands, III

*Conferees for the
House of Representatives*

S/ Marie W. Colton
S/ W. Pete Cunningham
S/ John C. Hasty

The Conference Report is adopted, by electronic vote (70-0), and the Senate is so notified by Special Message.

CONFERENCE REPORT

Representative Stamey sends forth the following Conference Report and moves its adoption.

Senate Committee Substitute for H.B. 734

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on **H.B. 734, A**

BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COLLEGIATE INSIGNIA REGISTRATION PLATES, Senate Finance Committee Substitute, Fourth Edition

wish to report as follows:

The House concurs in the Senate Finance Committee Substitute (Fourth Edition) with the following amendment:

on page 2, lines 14-18, by rewriting those lines to read:

“(e) The collegiate plate may be imprinted with letters and numerals as determined by the division. Collegiate plates shall be of a color, design, and material approved by both the Division and the alumni or alumnae association of the appropriate college or university. The words ‘North Carolina’ shall appear on the plate.”;

and the Senate agrees to the same.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 16th day of July, 1991.

*Conferees for the
Senate*

S/ Dennis J. Winner
S/ J. K. Sherron, Jr.
S/ James S. Forrester
S/ Beverly Perdue

*Conferees for the
House of Representatives*

S/ Peggy Stamey
S/ Joe Hackney
S/ W. Pete Cunningham

The Conference Report is adopted, by electronic vote (70-0), and the Senate is so notified by Special Message.

CONFERENCE REPORT

Representative Nesbitt sends forth the following Conference Report and moves its adoption.

Committee Substitute for S.B. 930

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on S.B. 930, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF NOT IN EXCESS OF FORTY-FIVE MILLION DOLLARS BONDS OF THE STATE TO PROVIDE FUNDS, WITH ANY OTHER AVAILABLE FUNDS, FOR STATE CAPITAL FACILITIES, SUCH AUTHORIZED BONDS TO BE ISSUED WITHOUT AN ELECTION DURING THE BIENNIUM ENDED JUNE 30, 1993, IN AN AMOUNT NOT IN EXCESS OF THIS AUTHORIZED AMOUNT AND NOT IN EXCESS OF TWO-THIRDS OF THE AMOUNT BY WHICH THE STATE'S OUTSTANDING

INDEBTEDNESS WILL HAVE BEEN REDUCED DURING THE
1989-91 BIENNIUM., Fourth Edition Engrossed 6/17/91

wish to report as follows: The Senate concurs in House Amend-
ment #1 with the following amendments: delete the following:

"General Assembly

1. Buildings/Office Repairs
and Renovations 4,600,000"

and substitute the following:

"General Assembly

1. Buildings/Office Repairs,
Renovations, Equipment, and
Furnishing 4,600,000"

and

amend the bill on page 9, line 25, by adding the following between lines
25 and 26:

"Sec. 9.1. Section 236 of Chapter 689 of the 1991 Session Laws
is amended by deleting the following:

'General Assembly

1. Buildings/Office Repairs
and Renovations 4,600,000'

and substituting the following:

'General Assembly

1. Buildings/Office Repairs,
Renovations, Equipment,
and Furnishings 4,600,000'."

and the House agrees to the same.

To this end, the conferees recommend that the Senate and House of
Representatives adopt the foregoing report.

This the 16th day of July, 1991.

*Conferees for the
Senate*

S/ Aaron W. Plyler, Sr.
S/ Marc Basnight
S/ Howard N. Lee
S/ J. Richard Conder
S/ George B. Daniel
S/ Fletcher L. Hartsell, Jr.

*Conferees for the
House of Representatives*

S/ Martin L. Nesbitt, Jr.
S/ David H. Diamont
S/ Joe Hackney
S/ Richard T. Morgan
S/ Dennis A. Wicker
S/ Karen E. Gottovi
S/ George W. Miller, Jr.
S/ Mary E. McAllister

The Conference Report is adopted, by electronic vote (75-3), and
the Senate is so notified by Special Message.

REPORTS OF COMMITTEES

The following reports from standing committees are presented:

By Representative Jack Hunt for the Committee on Rules, Appointments and Calendar:

H.J.R. 1312, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1991 GENERAL ASSEMBLY TO MEET IN 1992, AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION, with a favorable report as to committee substitute House joint resolution, unfavorable as to original House joint resolution.

On motion of Representative Jack Hunt, the rules are suspended and the committee substitute joint resolution is placed on the Calendar for immediate consideration. The original resolution is placed on the Unfavorable Calendar.

Representative Rhyme offers Amendment No. 1 which fails of adoption.

The resolution passes its second reading, by electronic vote (73-3), and there being no objection is read a third time.

Representative Justice moves that the bill be temporarily displaced and this motion fails.

Representative Jack Hunt calls the previous question on the passage of the bill on its third reading.

Representative Wicker moves, seconded by Representative Ethridge that the call for the previous question be postponed indefinitely and that that motion do lie upon the table. This motion carries.

The motion before the House is the call for the previous question and the call is sustained.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 16, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on House Committee Substitute for **S.B. 350**, A BILL TO BE ENTITLED AN ACT TO MODIFY LAWS AFFECTING THE OPERATIONS OF THE STATE LIBRARY AND THE MUSEUM OF HISTORY, to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 16, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate acknowledges receipt of your message returning House Committee Substitute for S.B. 9, A BILL TO BE ENTITLED AN ACT TO MAKE THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION THE CHAIRMAN OF THE STATE BOARD OF EDUCATION, for concurrence. It is further ordered that your Honorable Body be advised that the measure has been ordered held in the office of the Principal Clerk.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 16, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the Conferees on Senate Committee Substitute for H.B. 734, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COLLEGIATE INSIGNIA REGISTRATION PLATES, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 16, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on Committee Substitute No. 2 for S.B. 930, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF NOT IN EXCESS OF FORTY-FIVE MILLION DOLLARS BONDS OF THE STATE TO PROVIDE FUNDS, WITH ANY OTHER AVAILABLE FUNDS, FOR STATE CAPITAL FACILITIES, SUCH AUTHORIZED BONDS TO BE ISSUED WITHOUT AN ELECTION DURING THE BIENNIUM ENDED JUNE 30, 1993, IN AN AMOUNT

NOT IN EXCESS OF THIS AUTHORIZED AMOUNT AND NOT IN EXCESS OF TWO-THIRDS OF THE AMOUNT BY WHICH THE STATE'S OUTSTANDING INDEBTEDNESS WILL HAVE BEEN REDUCED DURING THE 1989-91 BIENNIUM, to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

On motion of the Chair, the House recesses at 8:30 p.m.

RECESS

The House meets at 8:53 p.m. pursuant to recess and is called to order by the Speaker.

CONFERENCE REPORT

Representative Diamont sends forth the following Conference Report.

**Conference Committee Substitute for
Senate Committee Substitute No. 2
for H.B. 929**

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on **H.B. 929, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND OTHER CHANGES TO THE LAW, Fifth Edition Engrossed 7/15/91**

wish to report as follows:

The House concurs in the Senate Appropriations Committee Substitute #2, Fifth Edition Engrossed 7/15/91, with the following amendment: Delete the entire Senate Committee Substitute and substitute the attached proposed Conference Committee Substitute PCCS-3245.

The Senate agrees to the same.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 16th day of July, 1991.

*Conferees for the
Senate*

S/ Howard N. Lee
S/ Franklin Block
S/ Leo Daughtry

*Conferees for the
House of Representatives*

S/ David H. Diamont
S/ Martin L. Nesbitt
S/ Harry E. Payne, Jr.
S/ Anne C. Barnes
S/ Luther R. Jeralds
S/ Annie B. Kennedy

On motion of Representative Diamont, the rules are suspended and the report is placed on the Calendar for immediate consideration.

On motion of Representative Diamont, Rule 44(b) is suspended to allow consideration of items in the Conference Report that are not included in the original bill.

On motion of Representative Diamont, the Conference Report is adopted, by electronic vote (81-0), and the Senate is so notified by Special Message. (The Conference Committee Substitute bill in its entirety may be found in the Appendix.)

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 16, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees on Senate Committee Substitute No. 2 for H.B. 929, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE LAW, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

On motion of the Chair, the House recesses at 9:25 p.m.

RECESS

The House meets at 10:45 p.m. pursuant to recess and is called to order by the Speaker.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 917, AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMITTEES AND COMMISSIONS, TO MAKE APPROPRIATIONS THEREFOR, TO DIRECT VARIOUS STATE AGENCIES TO STUDY SPECIFIED ISSUES, AND TO MAKE OTHER AMENDMENTS TO THE LAW. (CHAPTER 754)

H.B. 6, AN ACT TO SPECIFY APPOINTMENTS TO THE OPEN GOVERNMENT THROUGH PUBLIC TELECOMMUNICATIONS STUDY COMMISSION. (CHAPTER 755)

H.B. 274, AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, TO PROVIDE FOR ADDITIONAL MEMBERS OF THE BOARD OF TRUSTEES OF THE NORTH CAROLINA MUSEUM OF ART, AND TO MODIFY

THE METHOD OF ELECTION OF CERTAIN OFFICERS OF THE GENERAL ASSEMBLY. (CHAPTER 756)

S.B. 350, AN ACT TO MODIFY LAWS AFFECTING THE OPERATIONS OF THE STATE LIBRARY AND THE MUSEUM OF HISTORY. (CHAPTER 757)

H.B. 734, AN ACT TO PROVIDE FOR COLLEGIATE INSIGNIA REGISTRATION PLATES. (CHAPTER 758)

H.B. 748, AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES OR THE PRESIDENT PRO TEMPORE OF THE SENATE. (CHAPTER 759)

S.B. 930, AN ACT TO AUTHORIZE THE ISSUANCE OF NOT IN EXCESS OF FORTY-FIVE MILLION DOLLARS BONDS OF THE STATE TO PROVIDE FUNDS, WITH ANY OTHER AVAILABLE FUNDS, FOR STATE CAPITAL FACILITIES, SUCH AUTHORIZED BONDS TO BE ISSUED WITHOUT AN ELECTION DURING THE BIENNIUM ENDED JUNE 30, 1993, IN AN AMOUNT NOT IN EXCESS OF THIS AUTHORIZED AMOUNT AND NOT IN EXCESS OF TWO-THIRDS OF THE AMOUNT BY WHICH THE STATE'S OUTSTANDING INDEBTEDNESS WILL HAVE BEEN REDUCED DURING THE 1989-91 BIENNIUM. (CHAPTER 760)

H.B. 929, AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE LAW. (CHAPTER 761)

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 16, 1991

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives respectfully requesting the return of Committee Substitute for **H.J.R. 1312**, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1991 GENERAL ASSEMBLY TO MEET IN 1992, AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION, for further consideration by the Senate.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the Resolution returned to the Senate.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate.

Committee Substitute for **H.J.R. 1312**, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1991 GENERAL ASSEMBLY TO MEET IN 1992, AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION, is returned for concurrence in Senate Amendment No. 2.

On motion of Representative Jack Hunt, the rules are suspended and the resolution is placed on the Calendar for immediate consideration.

On motion of Representative Jack Hunt, the House concurs in Senate Amendment No. 2, by electronic vote (75-0), and the resolution is ordered enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.J.R. 1312, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1991 GENERAL ASSEMBLY TO MEET IN 1992, AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION. (RESOLUTION 30)

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

July 16, 1991

Mr. Speaker:

It is ordered that a message be sent your Honorable Body respectfully advising that the Senate has concluded the business of the 1991 Session of the 1991 General Assembly and pursuant to **H.J.R. 1312, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1991 GENERAL ASSEMBLY TO MEET IN 1992, AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION**, stands ready to adjourn to reconvene at Noon, Tuesday, May 26, 1992.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

On motion of Representative Jack Hunt, seconded by Representative Albertson, the House adjourns at 11:20 p.m. to reconvene Tuesday, May 26, 1992 at 12:00 noon.

Grace A. Collins,
Principal Clerk

ADDENDUM

It will be noted that a number of bills and resolutions passed second reading and then were read a third time on the same day.

Rule 41(b) states:

No bill shall be read more than once on the same day without the concurrence of two-thirds (2/3) of the members present and voting.

In order to comply with this Rule, no bill which has passed its second reading is read a third time except:

- (1) When a member moves that the Rule be suspended, and this motion carries by at least a two-thirds vote of the members present.
- (2) When the Chair determines that there is no objection from any member present. This constitutes unanimous consent of those members present that Rule 41(b) be suspended.

In these cases, the bill is read a third time.

Grace A. Collins
Principal Clerk

A P P E N D I X

FIRST SESSION 1991

TABLE OF CONTENTS

Adopted House Resolutions	
HR 101	1261
HR 107	1290
HR 1314	1294
Bills by Introducer	1295
Committee Assignments	1312
Conference Committee Substitute for HB 83	1327
Conference Committee Substitute for HB 929	1524
Conference Committee Substitute for SB 16	1541
Elizabeth City,	
House and Senate meet jointly in Mock Session in	1550
Executive Orders by the Governor	1554
Exum, State of the Judiciary Remarks by Chief Justice	1556
Governor's State of the State Address	1563
Lineberry, Remarks by Representative Al	1576
Prayers	1577

H.R. 101, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE REGULAR SESSIONS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES OF THE 1991 GENERAL ASSEMBLY.

Be it resolved by the House of Representatives:

Section 1. The permanent rules of the Regular Sessions of the House of Representatives of the 1991 General Assembly shall read as follows:

**RULES OF THE REGULAR SESSIONS OF
THE HOUSE OF REPRESENTATIVES OF
THE 1991 GENERAL ASSEMBLY OF NORTH CAROLINA**

- I. Order of Business, 1-5
- II. Conduct of Debate, 6-12
- III. Motions, 13-19
- IV. Voting, 20-25
- V. Committees, 26-30
- VI. Handling of Bills, 31-44.1
- VII. Legislative Officers and Employees, 45-49
- VIII. Privileges of the Hall, 50-53
- IX. General Rules, 54-62

I. Order of Business

RULE 1. Convening Hour.—The House shall convene each legislative day at the hour fixed by the House. In the event the House adjourns on the preceding legislative day without having fixed an hour for reconvening, the House shall convene on the next legislative day at 2:00 p.m.

RULE 2. Opening the Session.—At the convening hour on each legislative day the Speaker shall call the members to order and shall have the session opened with prayer.

RULE 3. Quorum.—(a) A quorum consists of a majority of the qualified members of the House.

(b) Should the point of a quorum be raised, the doors shall be closed and the Clerk shall call the roll of the House, after which the names of those not responding shall again be called. In the absence of a quorum, fifteen members are authorized to compel the attendance of absent members and may order that absentees for whom no sufficient excuses are made be taken into custody wherever they may be found by special messenger appointed for that purpose.

RULE 4. Approval of Journal.—(a) The Standing Committee on Rules, Appointments and Calendar shall cause the Journal of the

House to be examined daily before the hour of convening to determine if the proceedings of the previous day have been correctly recorded.

(b) Immediately following the opening prayer and upon appearance of a quorum, the Speaker shall call for the Journal report by the Chair of the Standing Committee on Rules, Appointments and Calendar or by a Representative designated by the Chair as to whether the proceedings of the previous day have been correctly recorded. Without objection, the Speaker shall cause the Journal to stand approved.

RULE 5. Order of Business of the Day.—After the approval of the Journal of the preceding day, the House shall proceed to business in the following order:

- (1) The receiving of petitions, memorials and papers addressed to the General Assembly or to the House;
- (2) Ratification of bills;
- (3) Reports of standing committees and permanent subcommittees;
- (4) Reports of select committees;
- (5) Reports of referral by standing committee Chairs of bills to permanent subcommittees;
- (6) First reading and reference to committee of bills and resolutions;
- (7) Messages from the Senate;
- (8) Concurrence with Senate amendments or Senate committee substitutes;
- (9) The unfinished business of the preceding day;
- (10) Calendar (each category in accordance with Rule 40):
 - (a) Local bills (roll call) third reading
 - (b) Local bills (roll call) second reading
 - (c) Local bills third reading
 - (d) Local bills second reading
 - (e) Public bills (roll call) third reading
 - (f) Public bills (roll call) second reading
 - (g) Public bills and resolutions, third reading
 - (h) Public bills and resolutions, second reading;
- (11) Reading of Notices and Announcements; but messages and motions to elect officers shall always be in order.

II. Conduct of Debate

RULE 6. Duties and Powers of the Speaker.—The Speaker shall have general direction of the Hall. He may name any member to perform the duties of the Chair, but substitution shall not extend beyond one day, except in the case of sickness or by leave of the House.

RULE 7. Obtaining Floor.—(a) When any member desires recognition for any purpose, he shall rise from his seat and respectfully address the Speaker. No member shall proceed until recognized by the Speaker for a purpose.

(b) When a member desires to interrupt a member having the floor, he shall first obtain recognition by the Speaker and permission of the member occupying the floor, and when such recognition and permission have been obtained, he may propound a question to the member occupying the floor; but he shall not otherwise interrupt the member having the floor, except as provided in subsection (c) of this rule; and the Speaker shall, without the point of order being raised, enforce this rule.

(c) A member who has obtained the floor may be interrupted only for the following reasons:

1. a request that the member speaking yield for a question,
2. a point of order,
3. a parliamentary inquiry, or
4. a question of privilege.

RULE 8. Questions of Privilege.—Upon recognition by the Speaker for that purpose, any member may speak to a question of privilege for a time not to exceed three minutes. Questions of privilege shall be, first those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members, individually, in their representative capacity only; and shall have precedence of all other questions, except motions to adjourn. Privilege may not be used to explain a vote or debate a bill. The Speaker shall determine if the question is one of privilege and shall, without the point of order being raised, enforce this rule.

RULE 9. Points of Order.—(a) The Speaker shall decide questions of order and may speak to points of order in preference to other members arising from their seats for that purpose. Any member may appeal from the ruling of the Chair on questions of order; on such appeal no member may speak more than once, unless by leave of the House. A two-thirds (2/3) vote of the members present shall be necessary to sustain any appeal from the ruling of the Chair.

(b) When the Speaker calls a member to order, the member shall take his seat except that a member called to order may clear a matter of fact, or explain, but shall not proceed in debate so long as the decision stands. If the member appeals from the ruling of the Chair and the

decision by a two-thirds (2/3) vote of the members present be in favor of the member called to order, he may proceed; if otherwise, he shall not; and if the case, in the judgment of the House, requires it, he shall be liable to censure by the House.

RULE 10. Limitations on Debate.—(a) No member shall speak on, debate, or solicit cosponsors for, a bill or resolution at its first reading.

(b) No member shall speak more than twice on the main question, nor longer than 30 minutes for the first speech and 15 minutes for the second speech; nor shall he speak more than twice upon an amendment or motion to reconsider, commit, appeal or postpone, and then not longer than 10 minutes for the first speech and five minutes for the second speech.

(c) A member may speak only once and for not more than 20 minutes on the question of the adoption of a minority report.

(d) The House, by consent of a majority of the members present, may suspend the operation of subsections (b) and (c) of this rule during any debate on any particular question before the House.

RULE 11. Reading of Papers.—When there is a call for the reading of the text of a paper which has been presented to the House, and there is objection to such reading, the question shall be determined by a majority vote of the members of the House present. Except for protests permitted by the Constitution, no member may have material printed in the Journal until said material has been presented to the House and the printing approved by the House, and said material shall not exceed 1,000 words.

RULE 12. General Decorum.—(a) The Speaker shall preserve order and decorum.

(b) Decency of speech shall be observed and disrespect to personalities carefully avoided.

(c) When the Speaker is putting any question, or addressing the House, no person shall speak, stand up, walk out of or cross the House, nor when a member is speaking, engage in disruptive discourse or pass between the member and the Chair.

(d) Food or beverages shall not be permitted on the floor of the House.

(e) The reading of newspapers shall not be permitted on the floor of the House while the House is in session.

(f) Smoking or the consumption of food or beverages shall not be permitted in the galleries at any time.

(g) Special recitals, performances by musicians or other groups shall not be permitted on the floor of the House and special guests of members of the House shall not be permitted on the floor of the House.

(h) Members shall observe appropriate attire, coat and tie for male members and dignified dress for female members.

III. Motions

RULE 13. Motions Generally.—(a) Every motion shall be reduced to writing, if the Speaker or any two members request it. No motion relating to a bill shall be in order which does not identify the bill by its number and short title.

(b) When a motion is made, it shall be stated by the Speaker, or, if written, it shall be handed to the Chair and read aloud by the Speaker or Clerk before debate.

(c) After a motion has been stated by the Speaker or read by the Speaker or Clerk, it shall be in the possession of the House; but it may be withdrawn before a decision or amendment, except in case of a motion to reconsider, which motion, when made by a member, shall be in possession of the House and shall not be withdrawn without leave of the House.

RULE 14. Motions, Order of Precedence.—When there are motions before the House, the order of precedence is as follows:

To adjourn

To lay on the table

To postpone indefinitely

Previous question

To reconsider

To postpone to a day certain

To re-refer

To amend an amendment

To amend

To substitute

To pass the bill

No motion to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit or to make a particular amendment, being decided, shall be again allowed at the same stage of the bill or proposition.

RULE 15. Motion to Adjourn.—(a) A motion to adjourn shall be seconded before the motion is put to the vote of the House.

(b) A motion to adjourn shall be decided without debate, and shall always be in order, except when the House is voting or some member is speaking; but a motion to adjourn shall not follow a motion to adjourn until debate or some other business of the House has intervened.

RULE 16. Motion to Table.—(a) A motion to table shall be seconded before the motion is put to the vote of the House and is in order except when a motion to adjourn is before the House.

(b) A motion to table shall be decided without debate.

(c) A motion to table a bill shall constitute a motion to table the bill and all amendments thereto.

(d) When the question before the House is the adoption of an amendment to a bill or resolution, a motion to table the bill is not in order, and a motion to table an amendment applies to the amendment only, and the motion may not expressly or by implication or construction be expanded to include a motion to table the bill also.

(e) When a question has been tabled, it shall not thereafter be considered except on motion to reconsider under Rule 18, or to remove from the table approved by a two-thirds (2/3) vote.

RULE 17. Motion to Postpone Indefinitely.—A motion to postpone indefinitely is in order except when a motion to adjourn or to lay on the table is before the House. However, after one motion to postpone indefinitely has been decided, another motion to postpone indefinitely shall not be allowed at the same stage of the bill or proposition. When a question has been postponed indefinitely, it shall not thereafter be considered except on motion to reconsider under Rule 18, or to place on the favorable calendar approved by a two-thirds (2/3) vote.

RULE 18. Motion to Reconsider.—(a) When a question has been decided, it is in order for any member to move for the reconsideration thereof, on the same or the succeeding legislative day; provided that if the vote by which the motion was originally decided was taken by a recorded vote, only a member of the prevailing side may move for reconsideration.

(b) A motion to reconsider shall be determined by a majority vote, except the following shall require a two-thirds vote: a second or subsequent motion to reconsider, and a motion to reconsider:

- (1) A vote upon a motion to table,
- (2) A motion to postpone indefinitely,
- (3) A motion to remove a bill from the unfavorable calendar,
- (4) A motion that a bill be read twice on the same day, or
- (5) A motion to remove from the table.

(c) A motion to reconsider the vote by which a person has been elected as Speaker or Speaker Pro Tempore shall not be in order. This subsection of this rule cannot be suspended.

RULE 19. Previous Question.—(a) The previous question may be called only by the member submitting the report on the bill or other matter under consideration, by the member introducing the bill or other matter under consideration, or by the member in charge of the measure, who shall be designated by the Chair of the standing committee or permanent subcommittee reporting the same to the House at the time the bill or other matter under consideration is reported to the House or taken up for consideration.

(b) The previous question shall be as follows: "Shall the main question now be put?" When the call for the previous question has been decided in the affirmative by a majority vote of the House, the "main question" is on the passage of the bill, resolution or other matter under consideration.

(c) The call for the previous question shall preclude all motions, amendments and debate, except the motion to adjourn or motion to table or motion to postpone indefinitely made prior to the determination of the previous question.

(d) If the previous question is decided in the negative, the main question remains under debate.

IV. Voting

RULE 20. Use of Electronic Voting System.—(a) Votes on the following questions shall be taken on the electronic voting system, and the ayes and noes shall be recorded on the Journal:

- (1) The passage as required by Article II, Section 23 of the Constitution of North Carolina, on second and third readings of any bill:
 - a. Raising money on the credit of the State,
 - b. Pledging the faith of the State for the payment of a debt,
 - c. Imposing a State tax, or
 - d. Authorizing a county, municipality, or other local governmental unit to
 1. Raise money on its credit,
 2. Pledge its faith for the payment of a debt, or
 3. Impose a local tax.
- (2) All measures affecting a fee imposed by the State or any subdivision thereof.
- (3) All questions on which a call for the ayes and noes under Rule 24(a) and Article II, Section 19 of the Constitution of North Carolina has been sustained.
- (4) Both second and third readings of bills proposing amendment of the Constitution of North Carolina or ratifying resolutions amending the Constitution of the United States.

(b) Votes on the following questions shall be taken on the electronic voting system:

- (1) Second reading of all public bills, all amendments to public bills offered after second reading, third reading if a public bill

was amended after second reading or if the reading occurs on a day or days following the second reading, all conference reports on public bills, all motions to lay public bills on the table, and all motions to postpone public bills indefinitely.

- (2) Upon a call for division.
- (3) Any other question upon direction of the Speaker or upon motion of any member supported by one-fifth (1/5) of the members present.

(c) When the electronic voting system is used, 15 seconds shall be allowed for voting on the question before the House, unless the Chair shall direct otherwise. The system shall be set to close automatically when that time has expired. Once the system is locked, the vote shall be recorded and printed.

(d) The voting station at each member's desk in the Chamber shall be used only by the member to which the station is assigned. Under no circumstances shall any other person vote at a member's station. It is a breach of the ethical obligation of a member either to request that another person vote at the requesting member's station, or to vote at another member's station. The Speaker shall enforce this rule without exception.

(e) When the electronic voting system is used, the Speaker shall state the question and shall then state substantially the following: "All in favor vote 'aye'; all opposed vote 'no'; the Clerk will open the vote." In order to have the vote recorded, the member must vote by the electronic voting system within the time allowed for that vote, unless the voting station assigned to a member is malfunctioning. The Speaker shall enforce this rule without exception. After the allotted time for voting has elapsed, the Speaker shall say: "The Clerk will now lock the machine and record the vote." After the machine is locked and the vote recorded, the Speaker shall announce the vote and declare the result.

(f) One copy of the machine printout of the vote record of all votes taken on the electronic system shall be filed in the office of the Principal Clerk, and one copy shall be filed in the Legislative Library where it shall be open to public inspection.

(g) When the Speaker ascertains that the electronic voting system is inoperative before a vote is taken or while a vote is being taken on the electronic system, he shall announce that fact to the House and any partial electronic system voting record shall be voided. In such a case, if the Constitution of North Carolina or the Rules of the House require a call of the ayes and noes, the Clerk shall call the roll of the House, and the ayes and noes shall be taken manually and shall be recorded on the Journal. All roll call votes shall be taken alphabetically. All other votes shall be taken by voice vote. If, after a vote is taken on the electronic system, it is discovered that a malfunction caused an error in the electronic system printout, the Speaker shall direct the Reading Clerk and the Principal Clerk to verify and correct the printout record and so advise the House.

(h) For the purpose of identifying motions on which the vote is taken on the electronic system, the motions are coded as follows:

1. To adjourn
2. To lay on the table
3. To postpone indefinitely
4. Previous question
5. To reconsider
6. To postpone to a day certain
7. To re-refer
8. To amend an amendment
9. To amend
10. To substitute
11. To concur or not concur
12. Miscellaneous

RULE 21. Voice Votes; Stating Questions.—(a) When the electronic voting system is not used, the Speaker shall rise and put a question.

(b) The question shall be put in this form, namely, “Those in favor (as the question may be) will say ‘Aye’,” and after the affirmation voice has been expressed, “Those opposed will say ‘No’”.

(c) No statement, explanation, debate, motion, parliamentary inquiry, or point of order shall be allowed once the voice vote has begun. Any point of order or parliamentary inquiry may be raised, however, after the completion of the vote.

RULE 22. Determining Questions.—(a) Unless otherwise provided by the Constitution of North Carolina or by these rules, all questions shall be determined by a simple majority of the members present and voting.

(b) No member may vote unless he is in the chamber when the question is put. This subsection of this rule cannot be suspended.

RULE 23. Voting by Division.—Any member may call for a division of the members upon the question before the result of the vote has been announced. Upon a call for a division, the Speaker shall cause the number voting in the affirmative and in the negative to be determined. Upon a division and count of the House on any question, no member away from his seat shall be counted.

RULE 24. Roll Call Vote.—(a) Before a question is put, any member may call for the ayes and noes. If the call is sustained by one-fifth

(1/5) of the members present, the question shall be decided by the ayes and noes upon a roll call vote.

(b) Every member who is in the Hall of the House when the question is put shall vote upon a call of the ayes and noes, unless excused pursuant to Rule 24.1A.

RULE 24.1A. Excuse From Deliberations and Voting on a Bill.—(a) Any member shall upon request be excused from the deliberations and voting on a particular bill, but to do so must make that request after the second reading of the bill and before any motion or vote on the bill or any amendment thereto. If the reason for the request arises at some point later in the proceedings, the request may be made at that time.

(b) The member may make a brief statement of the reasons for making that request. The member may send forward to the Principal Clerk, on a form provided by the Clerk, a concise statement of the reason for the request, and the Clerk shall include this statement in the Journal.

(c) The member so excused shall not debate the bill or any amendment to the bill, vote on the bill, offer or vote on any amendment to the bill, or offer or vote on any motion concerning the bill at that reading, any subsequent reading, or any subsequent consideration of the bill.

(d) A member may request that his excuse from deliberations on a particular bill be withdrawn.

RULE 24.1B. Division of Amendments.—Any member may call for an amendment to be divided into two or more amendments to be voted on separately, and the Speaker shall determine whether the amendment admits of such a division.

RULE 25. Voting by Speaker.—In all elections the Speaker may vote. In all other instances he may exercise his right to vote, or he may reserve this right until there is a tie in which event he may vote, but in no instance may he vote twice on the same question.

V. Committees

RULE 26. Standing Committees and Permanent Subcommittees Generally.—(a) The Speaker shall appoint a Chair, or Cochairs, of every standing committee and select committee, if any. In the construction of these rules, the word “Chair” as applied to a standing committee extends to and includes a Cochair of the standing committee. The Speaker shall have the exclusive right and authority to establish select committees, but this does not exclude the right of the House by resolution to establish select committees.

(b) All permanent subcommittees of each standing committee shall be appointed by the Speaker and the members appointed, along with the Chair of the standing committee, shall constitute the standing committee of which the permanent subcommittee is a part. The Speaker shall appoint all members of permanent subcommittees at the beginning of the first regular session in a manner to reflect the partisan membership of the House.

(c) The Speaker shall appoint the members of all standing committees having no permanent subcommittees, at the beginning of the first regular session in a manner to reflect the partisan membership of the House.

(d) The first member announced on each permanent subcommittee shall be the Chair, and where the Speaker so desires he may designate one or more Vice-Chairs.

(e) Each Chair of a permanent subcommittee shall be a Vice-Chair of the standing committee of which it is a permanent subcommittee. The Speaker may name other members as Vice-Chairs of the standing committee. The Speaker may name one or more Vice-Chairs for any standing committee not having permanent standing subcommittees.

(f) The Chair of the standing committee shall be a voting member of each permanent subcommittee of the standing committee.

(g) Either the Chair or Acting Chair, designated by the Chair or by the Speaker, and five other members of the standing committee or permanent subcommittee, or a majority of the standing committee or permanent subcommittee, whichever is fewer, shall constitute a quorum of that standing committee or permanent subcommittee.

(h) In any joint meeting of the Senate and House committees or subcommittees, the House standing committee or permanent subcommittee reserves the right to vote separately.

RULE 27. List of Standing Committees and Permanent Subcommittees.—The standing committees and permanent subcommittees thereof are:

Committee	Subcommittees
Appropriations	<ul style="list-style-type: none"> —General Government —Human Resources —Justice and Public Safety —Environment, Health, and Natural Resources —Transportation —Education
Agriculture	<ul style="list-style-type: none"> —Aquaculture and Marine Fisheries —Forestry, Horticulture and Wildlife —Crops and Animal Husbandry
Commerce	<ul style="list-style-type: none"> —Financial Institutions —Insurance —Housing
Courts, Justice, Constitutional Amendments and Referenda	(None)

Economic Expansion	-Travel, Tourism and Economic Development -Labor Relations and Employment-Small Business
Education	-Community Colleges -Pre-School, Elementary and Secondary Education -University Education and Affairs
Environment	-Solid Waste -Water, Air and Soil -Hazardous Waste
Ethics	(None)
Finance	
Revenue	-Local and Regional Government -State Revenue -Ways and Means
Human Resources	-Aging -Children, Youth, and Families -Health and Mental Health
Judiciary I	(None)
Judiciary II	(None)
Judiciary III	(None)
Local and Regional Government I	(None)
Local and Regional Government II	(None)
Pensions and Retirement	(None)
Public Employees	(None)
Public Utilities	(None)
Legislative and Local Redistricting	(None)
Congressional Redistricting	(None)

Rules, Appointments, and Calendar	(None)
Science and Technology	(None)
State Government	-Boards and Commissions -State Parks, Facilities and Property -Military, Veterans and Indian Affairs
Transportation	-Highways -Public Transportation -Airports, Railways, and Waterways

RULE 28. Standing Committee and Permanent Subcommittee Meetings.—(a) Standing committees and permanent subcommittees of standing committees shall be furnished with suitable meeting places pursuant to a schedule adopted by the Standing Committee on Rules, Appointments and Calendar. Select committees shall be furnished with suitable meeting places as their needs require by the Chair of the Standing Committee on Rules, Appointments and Calendar.

(b) Subject to the provisions of the subsection (c) of this Rule, standing committees and permanent subcommittees thereof shall permit other members of the General Assembly, the press, and the general public to attend all sessions of said standing committees or permanent subcommittees.

(c) The Chair or other presiding officer shall have general direction of the meeting place of the standing committee or permanent subcommittee and, in case of any disturbance or disorderly conduct therein, or if the peace, good order, and proper conduct of the legislative business is hindered by any person or persons, the Chair or presiding officer shall have power to exclude from the session any individual or individuals so hindering the legislative business.

(d) Procedure in the standing committees and permanent subcommittee shall be governed by the rules of the House, so far as the same may be applicable to such procedure. Before a question is put, any member may call for the ayes and noes. If the call is sustained by one-fifth (1/5) of the members present, the question shall be decided by the ayes and noes upon a roll call vote. All roll call votes shall be taken alphabetically and shall be subject to Rule 21(c).

(e) No standing committee or permanent subcommittee shall meet on any day when the House shall not convene except by permission of the Speaker or by approval of the House by resolution adopted by a majority vote of the House.

(f) No standing committee or permanent subcommittee shall meet during any session of the House. Standing committees and permanent subcommittees shall meet at their regularly-scheduled hour. No permanent subcommittee shall meet at the same time that its standing committee is meeting. Standing committees and permanent subcommittees

may meet at other times as authorized by the Chair of the Standing Committee on Rules, Appointments, and Calendar in order to assure the availability of the meeting room and that no conflicts will exist with the meetings of other bodies. All standing committee and permanent subcommittee meetings shall adjourn no later than:

- (1) 15 minutes preceding a regular session of the House, and
- (2) 10 minutes preceding the hour of the next regularly-scheduled standing committee or permanent subcommittee meeting.

(g) Any call or notice of a standing committee or permanent subcommittee meeting between legislative sessions shall be mailed to each member of the standing committee or permanent subcommittee at least five days prior to such meeting. If a member of the body so requests in writing to the Chair of the standing committee or permanent subcommittee, the member shall be notified by certified mail of the meetings.

(h) During standing committee and permanent subcommittee meetings the Chair may exercise his right to vote, or he may reserve this right until there is a tie, in which event he may vote, but in no instance may the Chair vote twice on the same question.

RULE 28.1. Ethics Committee Investigations into Violations of the Open Meetings Law.—(a) On its own motion, or in response to signed and sworn complaint of any individual filed with the Standing Committee on Ethics, the Committee shall inquire into any alleged violation by members of the House of the Open Meetings Law (Article 33C of Chapter 143 of the General Statutes), as the same may be amended in the future.

(b) If, after such preliminary investigation as it may make, the Committee determines to proceed with an inquiry into the conduct of any individual, the Committee shall notify the individual as to the fact of the inquiry and the charges against him and shall schedule one or more hearings on the matter. The individual shall have the right to present evidence, cross-examine witnesses, and be represented by counsel at any hearings.

(c) After the Committee has concluded its inquiries into the alleged violations, the Committee shall dispose of the matter by taking one of the following actions:

- (1) Dismiss the complaint and take no further action.
- (2) Issue a letter of reprimand to the legislator, if the legislator unintentionally violated the provisions of the Open Meetings Law.
- (3) Issue a letter of reprimand if the violation of the Open Meetings Law was intentional, or if the legislator has previously received a letter of reprimand. The Chair of the Committee on Ethics shall have the public letter of reprimand spread on the pages of the House Journal.

- (4) Refer the matter to the House for appropriate action.

RULE 29. Notice of Standing Committee and Permanent Subcommittee Meetings and Hearings.—Public notice of all standing committee and permanent subcommittee meetings shall be given in the House. The Chair of the standing committee or permanent subcommittee shall notify or cause to be notified the sponsor of each bill which is set for hearing or consideration before the standing committee or permanent subcommittee as to the date, time, and place of that meeting.

RULE 29.1. Public Hearings.—(a) Requests for a public hearing shall be made in writing to the Chair of the standing committee and, if applicable, the Chair of the permanent subcommittee to which the bill has been referred. The Chair of the standing committee may schedule a public hearing by the standing committee as a whole after the adjournment of a regular daily House session. The Chair of the permanent subcommittee may schedule a public hearing before the permanent subcommittee at its regularly-scheduled hour. Denial of a request made by a House member may be appealed to the Speaker.

Notice shall be given not less than five calendar days prior to public hearings. These notices shall be issued as information for the press and information shall be posted in the places designated by the Principal Clerk.

(b) Persons desiring to appear and be heard at a public hearing shall submit their request to the Chair of the standing committee or permanent subcommittee. The standing committee or permanent subcommittee Chair may designate one or more members to arrange the order of appearance of interested parties. A brief, written statement of testimony may be submitted without oral presentation and shall be incorporated in the minutes of the public hearing.

RULE 29.2. Minutes to Legislative Library.—The Chair of a standing committee or a permanent subcommittee shall insure that written minutes are compiled for each of the body's meetings. The minutes shall indicate the members present and the actions taken at the meeting. Not later than 20 days after the adjournment of each session of the General Assembly, the Chair shall deliver the minutes to the Legislative Library. The Speaker of the House may grant a reasonable extension of time for filing said minutes upon written application of the Chair.

RULE 30. Standing Committee of the Whole House.—(a) A Standing Committee of the Whole House shall not be formed, except by suspension of the rules, if there be objection by any member.

(b) After passage of a motion to form a Standing Committee of the Whole House, the Speaker shall appoint a Chairperson to preside in the standing committee, and the Speaker shall leave the dais.

(c) The rules of procedure in the House shall be observed in the Standing Committee of the Whole House, so far as they may be applicable, except the rule limiting the time of speaking and the previous question.

(d) In the Standing Committee of the Whole House a motion that the standing committee rise shall always be in order, except when a member is speaking, and shall be decided without debate.

(e) When a bill is submitted to the Standing Committee of the Whole House, it shall be read and debated by sections, leaving the preamble to be last considered. The body of the bill shall not be defaced or interlined, but all amendments, noting the page and line, shall be duly entered by the clerk on a separate paper as the same shall be agreed to by the standing committee, and be so reported to the House. After report, the bill shall again be subject to be debated and amended by sections before a question on its passage be taken.

VI. Handling of Bills

RULE 31. Introduction of Bills and Resolutions.—(a) All bills and resolutions shall be introduced by submitting same to the Principal Clerk's office on the legislative day prior to the first reading and reference thereof according to the following schedule: by 8:30 o'clock p.m. each Monday, by 3:00 o'clock p.m. each Tuesday, Wednesday, Thursday, and Friday.

(b) Bills shall not become resolutions provided the Senate has a similar rule. Resolutions shall not become bills. Resolutions are not law but may be used when a law is not necessary for the purpose contained therein. Resolutions shall not be used to appropriate funds for any purpose, but may be used to create study commissions or committees or establish investigative committees, to honor deceased persons, and to adopt House rules and internal affairs. Resolutions cannot amend, repeal, or modify a statute; nor do they have life beyond the term of the session during which they are adopted.

(c) Every bill or resolution shall be read in regular order of business, except upon permission of the Speaker or on the report of a standing committee.

(d) All bills and resolutions shall show in their captions a brief descriptive statement of the true substance of same, which captions may thereafter be amended. Captions of public bills may be amended only by amendment proposed by the standing committee to which the bill was referred. Third reading shall not be had on any bill or resolution on the same day that such caption is amended.

(e) A Substitute Bill shall be covered with the same color jacket as the original bill and shall be prefaced as follows:

"House Substitute for" or "House Committee Substitute for _____."

(f) House Resolutions need not be read more than twice.

(g) All memorializing, celebration, commendation, and commemoration resolutions, except those honoring the memory of deceased persons, shall be excluded from introduction and consideration in the House.

RULE 31.1. Deadlines on Introduction and Receipt of Bills.—(a) All bills or resolutions recommended by commissions or standing

committees authorized or directed by act or resolution of the General Assembly to report to the 1991 Regular Session of the General Assembly, or to report prior to convening of that session, must be introduced not later than the third Wednesday in February (February 20) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Wednesday (February 27) shall be treated as if it had been introduced pursuant to this subsection.

(a1) All bills prepared to be introduced for departments, agencies, or institutions of the State must be introduced not later than the third Thursday in March (March 21) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Thursday (March 28) shall be treated as if it had been introduced pursuant to this subsection. Bills introduced under this subsection shall be identified as an (Agency Bill) after its short title.

(a2) All local bills must be introduced not later than the first Thursday in April (April 4) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Thursday (April 11) shall be treated as if it had been introduced pursuant to this subsection.

(b) All public bills not containing appropriations or tax law changes must be introduced not later than the second Thursday in April (April 11) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Thursday (April 18) shall be treated as if it had been introduced pursuant to this subsection.

(c) All public bills containing appropriations or tax law changes must be introduced not later than the first Thursday in May (May 2) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Thursday (May 9) shall be treated as if it had been introduced pursuant to this subsection.

(c1) All resolutions, except those honoring the memory of deceased persons or adjourning the General Assembly must be introduced not later than the second Thursday in May (May 9) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Thursday (May 16) shall be treated as if it had been introduced pursuant to this subsection.

(d) In order to be eligible for consideration by the House during the first regular session, all Senate bills other than finance or appropriations

bills or adjournment resolutions, must be received and read on the floor of the House as a message from the Senate no later than May 16; provided that a message from the Senate received by the next legislative day stating that a bill has passed its third reading and is being engrossed shall comply with the requirements of this subsection and provided that the Senate has a similar rule.

(e) This rule does not apply to bills establishing districts for Congress or State or local entities.

RULE 32. Reference to Standing Committee and to Permanent Subcommittees.—(a) Each bill, joint resolution, or House resolution not introduced on the report of a standing committee shall immediately upon its first reading be referred by the Speaker to such standing committee or permanent subcommittee as he deems appropriate.

(b) The standing committee Chair may refer each bill referred to the standing committee to the permanent subcommittee specifically charged with the subject matter of the bill. A report of that referral shall be made in writing and submitted to the body pursuant to Rule 5(5). Except as provided in Rule 36, the permanent subcommittee to which the bill is referred shall report the bill back to the full standing committee. That subcommittee report shall include one of the following recommendations:

- (1) Favorable, without prejudice, or unfavorable as to the original bill with the recommendation that the report be made to the standing committee;
- (2) Favorable, without prejudice, or unfavorable as to the original bill, as amended, with the recommendation that the report be made to the standing committee;
- (3) Favorable or without prejudice to the proposed committee substitute, and unfavorable to the original bill, with the recommendation that the report be made to the standing committee;
- (4) Favorable as to the original bill with the recommendation that the report be made directly to the floor of the House, if approved by the standing committee Chair;
- (5) Favorable to the original bill, as amended, with the recommendation that the report be made directly to the floor of the House, if approved by the standing committee Chair;
- (6) Favorable to the proposed committee substitute with the recommendation that the report be made directly to the floor of the House, if approved by the standing committee Chair, and unfavorable to the original bill.

Any recommendation of favorable or without prejudice may include a recommendation of re-referral to another standing committee. After

a bill is reported to a standing committee by a permanent subcommittee of that standing committee, the standing committee Chair may re-refer the bill to another permanent subcommittee of that standing committee.

Upon recommendation to the standing committee the bill shall be before that body for further action unless the permanent subcommittee Chair reports the bill directly pursuant to Rule 36.

(c) When a committee substitute is adopted by a permanent subcommittee or a standing committee for a bill which was introduced with no substantive provisions and the committee substitute deletes a majority of the provisions of the original bill and adds provisions that are not germane to the original bill, no further action may be taken by any standing committee or permanent subcommittee upon such bill until the 2nd legislative day thereafter.

RULE 33. Papers Addressed to the House.—Petitions, memorials and other papers addressed to the House shall be presented by the Speaker. A brief statement of the contents thereof may be orally made by the introducer before reference to a committee, but such papers shall not be debated or decided on the day of their first being read unless the House shall direct otherwise.

RULE 34. Introduction of Resolutions and Bills, Copies Required.—(a) Whenever any resolution or bill is introduced, a duplicate copy thereof shall be attached thereto, and the Principal Clerk shall cause said duplicate copy to be numbered as the original resolution or bill is numbered, and shall cause the same to be available at all times to the member introducing the same.

(b) Numbering of House Bills shall be designated as “H.B. ____.” (No. following). A Joint Resolution shall be designated as “H.J.R. ____.” (No. following). A House Resolution shall be designated as “H.R. ____.” (No. following).

(c) Whenever any resolution or bill is filed for introduction, it shall be in a House bill jacket containing 30 copies and in the form designated by the Speaker. Any resolution or bill not accompanied by the required number of copies shall be immediately returned to the introducer. The Clerk shall stamp the copies with the number stamped upon the original bill.

RULE 35. Duplicating and Availability of Copies of Bills.—(a) The Legislative Administrative Officer shall cause such bills as are introduced to be duplicated in such numbers as may be specified by the Speaker. The Legislative Administrative Officer shall cause one copy of each resolution and public bill for each legislator to be delivered to his clerk or secretary who shall place it in the appropriate notebook on the legislator’s desk. If a legislator so requests, a second copy shall be delivered to his clerk or secretary who shall place it in the legislator’s office. The remaining copies shall be placed in the Printed Bills Room and made available to the committees to which the bill is referred, to individual legislators on request, and to the general public.

(b) A public bill is a bill affecting 15 or more counties. A local bill is one affecting fewer than 15 counties. No public bill and, upon objection by a member, no local bill may be considered unless copies of the bill have been made available to the entire membership of the House.

RULE 35.1. Assessment Reports.—Every bill or resolution proposing the establishment of an occupational or professional licensing plan or a study for the need to establish such a plan shall have attached to the jacket of the original bill or resolution at the time of its consideration on second and third readings by the House or by any standing committee or permanent subcommittee of the House, an assessment report from the Legislative Standing Committee on New Licensing Plans pursuant to Article 18A of Chapter 120 of the General Statutes. The assessment report shall not constitute any part of the expression of legislative intent proposed by the formation of a licensing plan. Upon receipt of the request the Legislative Standing Committee on New Licensing Plans shall prepare and return the assessment report as soon as possible but not later than 60 days, reserving the right to extend this time to 90 days.

RULE 36. Report by Standing Committee or Permanent Subcommittee.—All House bills and resolutions shall be reported from the standing committee or permanent subcommittee to which referred with such recommendations as the standing committee or permanent subcommittee may desire to make except in the case where the principal introducer requests in writing to the Chair of the standing committee or permanent subcommittee that the bill not be considered.

With the written approval of the Chair of the standing committee and with the recommendation of the subcommittee pursuant to Rule 32(4) through (6), the Chair of the permanent subcommittee may report the bill directly to the floor with that recommendation. If a permanent subcommittee recommends reporting a bill to the floor and the Chair of the standing committee fails to give his approval, the bill shall be deemed to have been reported to the standing committee with the same recommendation as the subcommittee would have made to the House.

(a) **Favorable Report.** When a standing committee or permanent subcommittee reports a bill with the recommendation that it be passed, the bill shall be placed on the favorable calendar for the next succeeding legislative day; except that committee substitutes for bills shall be placed on the favorable calendar for the second next succeeding legislative day after being reported. When a committee substitute is adopted and receives a favorable report by the committee or permanent subcommittee, the standing committee or permanent subcommittee Chair shall submit to the standing committee or permanent subcommittee the question of an unfavorable report on the original bill. The standing committee's or permanent subcommittee's action, if any, on the original bill shall be reported at the same time the committee substitute is reported.

(b) **Report Without Prejudice.** When a standing committee reports a bill without prejudice, the bill shall be placed on the favorable calendar.

(c) **Postponed Indefinitely.** When a standing committee reports a bill with the recommendation that it be postponed indefinitely, and no minority report accompanies it, the bill shall be placed on the unfavorable calendar.

(d) **Unfavorable Report.** When a standing committee reports a bill with the recommendation that it be not passed, and no minority report accompanies it, the bill shall be placed on the unfavorable calendar.

(e) **Minority Report.** When a bill is reported by a standing committee with a recommendation that it be not passed or that it be postponed indefinitely, but it is accompanied by a minority report signed by at least one-fourth (1/4) of the members of the standing committee who were present and voting when the bill was considered in standing committee, the question before the House shall be: "The adoption of the minority report." If the minority report is adopted by majority vote, the bill shall be placed on the favorable calendar for consideration. If the minority report fails of adoption by a majority vote, the bill shall be placed on the unfavorable calendar.

RULE 36.1. Fiscal notes.—(a) The Chair or Cochair of the Appropriations Committee, of the Finance Committee or of the Rules, Appointments, and Calendar Committee, upon the floor of the House may request that a fiscal analysis be made of a bill, resolution or an amendment to a bill or resolution which is in the possession of the House and that a fiscal note be attached to the measure, when in the opinion of that Chair the fiscal effects of that measure are not apparent from the language of the measure.

(b) The fiscal note shall be filed and attached to the bill or amendment within two legislative days of the request. If it is impossible to prepare a fiscal note within two legislative days, the Director of Fiscal Research shall, in writing, so advise the Speaker, the Principal Clerk, and the member introducing or proposing the measure and shall indicate the time when the fiscal note will be ready.

(c) The fiscal note shall be prepared by the Fiscal Research Division on a form approved by the Rules, Appointments, and Calendar Committee as to content and form and signed by the staff member or members preparing it. If no estimate in dollars is possible, the fiscal note shall indicate the reasons that no estimate is provided. The fiscal note shall not comment on the merit but may identify technical problems. The Fiscal Research Division shall make the fiscal note available to the membership of the House.

(d) A sponsor of a bill or amendment may deliver a copy of his bill or amendment to the Fiscal Research Division for the preparation of a fiscal note. The sponsor shall attach the fiscal note to the bill when he files the bill or to the amendment when he moves its adoption.

(e) The sponsor of a bill or amendment to which a fiscal note is attached who objects to the estimates and information provided may reduce to writing his objections. These objections shall be appended to the fiscal note attached to the bill or amendment and to the copies of the fiscal note available to the membership.

(f) Subsection (a) of this rule shall not apply to the current operations appropriations bill or the capital improvements appropriations bill. This rule shall not apply to a bill or amendment requiring an actuarial note under these rules.

RULE 36.2. Actuarial Notes. (a) Every bill or resolution proposing any change in the law relative to any:

- (1) State, municipal or other retirement system funded in whole or in part out of public funds; or
- (2) Program of hospital, medical, disability or related benefits provided for teachers and State employees, funded in whole or in part by State funds;

shall have attached to it at the time of its consideration by any standing committee or permanent subcommittee a brief explanatory statement or note which shall include a reliable estimate of the financial and actuarial effect of the proposed change to that retirement or pension system. The actuarial note shall be attached to the jacket of each proposed bill or resolution which is reported favorably by any standing committee or any permanent subcommittee, shall be separate therefrom, and shall be clearly designated as an actuarial note.

(b) The sponsor of the bill or resolution shall present a copy of the measure, with his request for an actuarial note, to the Fiscal Research Division which shall prepare the actuarial note as promptly as possible but not later than two weeks after the request is made unless an extension of time is agreed to by the sponsor as being necessary in the preparation of the note. Actuarial notes shall be prepared in the order of receipt of request and shall be transmitted to the sponsor of the measure. The actuarial note of the Fiscal Research Division shall be prepared and signed by an actuary.

(c) The sponsor of the bill or resolution shall also present a copy of the measure to the actuary employed by the system or program affected by the measure. Actuarial notes shall be prepared and transmitted to the sponsor of the measure not later than two weeks after the request is received, unless an extension of time is agreed to by the sponsor as being necessary in the preparation of the note. The actuarial note shall be attached to the jacket of the measure. The provisions of this subsection may be waived by the measure's sponsor for a measure affecting local government retirement or pension plans not administered by the State or any local government program of hospital, medical, disability or related benefits for local government employees not administered by the State.

(d) The note shall be factual and shall, if possible, provide a reliable estimate of both the immediate effect and, if determinable, the long range fiscal and actuarial effect of the measure. If, after careful investigation, it is determined that no dollar estimate is possible, the note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can be given. No comment or opinion shall be included in the actuarial note with regard to the merits of the measure for which the

note is prepared. Technical and mechanical defects in the measure may be noted.

(e) When any permanent subcommittee or standing committee reports a measure to which an actuarial note is attached at the time of permanent subcommittee or standing committee consideration, with any amendment of such nature as would substantially affect the cost to or the revenues of any retirement or pension system, the Chair of the permanent subcommittee or standing committee reporting the measure shall obtain from the Fiscal Research Division an actuarial note of the fiscal and actuarial effect of the proposed amendment. The actuarial note shall be attached to the jacket of the measure. An amendment to any bill or resolution shall not be in order if the amendment affects the costs to or the revenues of a State-administered retirement or pension system, unless the amendment is accompanied by an actuarial note, prepared by the Fiscal Research Division, as to the actuarial effect of the amendment.

(f) The Fiscal Research Division shall make all relevant actuarial notes available to the membership of the House.

RULE 37. Removing Bill from Unfavorable Calendar.—A bill may be removed from the unfavorable calendar upon motion carried by a two-thirds (2/3) vote. A motion to remove a bill from the unfavorable calendar is debatable.

RULE 38. Reports on Appropriation and Revenue Bills.—(a) All standing committees, other than the Standing Committee on Appropriations, when favorably reporting any bill or resolution which:

1. carries an appropriation from the State; or
2. requires or will require in the future substantial additional State monies from the General Fund or Highway Fund to implement its provisions shall indicate same in the report, and said bill or resolution shall be referred to the Standing Committee on Appropriations for a further report before being acted upon by the House.

(b) All standing committees, other than the Standing Committee on Finance, when favorably reporting any bill which in any way or manner raises revenue, reduces revenue, levies a tax, authorizes the levying of a tax, an assessment, or a fee, or authorizes the issue of bonds or notes, whether public, public-local, or private, shall indicate same in the report, and said bill shall be referred to the Standing Committee on Finance for a further report before being acted upon by the House.

(c) Action on Amendment Before Re-Referral. If any standing committee recommends adoption of an amendment or committee substitute of a bill which, under the rules of the House must be referred to the Standing Committees on Appropriations or Standing Committee on Finance, the amendment or committee substitute shall be considered and, if adopted, the amendment or substitute engrossed before the bill is re-referred.

RULE 39. Recall of Bill from Standing Committee.—When a House bill has been introduced and referred to a standing committee, if after 10 legislative days the standing committee has failed to report thereon, then the introducer of the bill or some member designated by him may, after three legislative days' public notice given in the House and delivered in writing to the Chair of the standing committee, on motion supported by a majority vote of the members present and voting, recall the same from the standing committee to the floor of the House for consideration and such action thereon as a majority of the members present may direct. This rule shall not be temporarily suspended without one day's notice on the motion given in the House and delivered in writing to the Chair of the standing committee, and to sustain that motion two-thirds ($2/3$) of the members present and voting shall be required.

RULE 39.1. Recall of Bill from Permanent Subcommittee.—When a House bill has been referred to a permanent subcommittee, if after 10 legislative days the subcommittee has failed to act thereon or, at any time, with the agreement of the subcommittee chair, the standing committee Chair may re-refer the bill from that permanent subcommittee to another permanent subcommittee of the same standing committee provided the report of the re-referral shall be made pursuant to Rule 32.

RULE 39.2. Re-referral of Bills from One Standing Committee to Another Standing Committee.—Upon consent of the sponsor of the bill, the Speaker, the Chair of the standing committee from whom the bill is to be re-referred, and the Chair of the standing committee to whom the bill is to be re-referred, the Chair may move for a re-referral to another standing committee and the bill shall be re-referred upon vote of the majority present during a regular session of the House.

RULE 40. Calendars and Schedules of Business.—The Clerk of the House shall prepare a daily schedule of business, including the Calendar of Bills and Resolutions for consideration and debate that day, in accordance with the Order of Business of the Day (Rule 5). The Clerk shall number all bills and resolutions in the order in which they are introduced. All bills and resolutions shall be taken up as they appear in each category (Rule 5(10)) in the order they were reported by standing committee; but the Standing Committee on Rules, Appointments and Calendar may at any time arrange the order of precedence in which bills may be considered.

RULE 41. Reading of Bills.—(a) Every bill shall receive three readings in the House prior to its passage. The first reading and reference to standing committee of a House bill shall occur on the next legislative day following its introduction. The first reading and reference to standing committee of a Senate bill shall occur on the next legislative day following its receipt on messages from the Senate. The Speaker shall give notice at each subsequent reading whether it be the second or third reading.

(b) No bill shall be read more than once on the same day without the concurrence of two-thirds ($2/3$) of the members present and voting; provided, no bill governed by Article II, Section 23 of the North

Carolina Constitution or described in Rule 20 (a)(2) herein shall be read twice on one day under any circumstance.

RULE 42. Effect of a Defeated Bill.—(a) Subject to the provisions of subsection (b) of this rule, after a bill has:

1. been tabled,
2. been postponed indefinitely,
3. failed to pass on any of its readings, or
4. been placed on the unfavorable calendar,

the contents of that bill or the principal provisions of its subject matter shall not be considered in any other measure originating in the Senate or originating thereafter in the House. Upon the point of order being raised and sustained by the Chair, that measure shall be laid upon the table, and shall not be taken therefrom except by a two-thirds (2/3) vote of the members present and voting.

(b) No local bill shall be held by the Chair to embody the contents of or the principal provisions of the subject matter of any statewide measure which has been laid on the table, has failed to pass on any of its readings, or has been placed on the unfavorable calendar.

RULE 43. Amendments.—No amendment to a measure before the House shall be in order unless the amendment is germane to the measure under consideration. A House amendment deleting a previously adopted House amendment shall not be in order.

Only one principal (first degree) amendment shall be pending at any one time. If a subsequent or substitute principal amendment shall be offered, the Speaker shall rule it out of order. However, any member desiring to offer a subsequent or substitute principal amendment in opposition to the pending amendment may inform the House by way of argument against the pending amendment that if it is defeated he proposes to offer another principal amendment, and he may then read and explain such proposed amendment.

Perfecting (or second degree) amendments may be offered and considered without limitation as to number, and in the event of multiple perfecting amendments, they shall be voted upon in inverse order.

RULE 43.1. Engrossment.—Bills and resolutions, except those making appropriations, which originate in the House and which are amended, shall be engrossed before being sent to the Senate.

RULE 43.2. House Concurrence in Senate Amendments to House Bills.—The House shall not concur in a Senate amendment to a bill originating in the House until the next legislative day after the day on which the House receives the Senate amendment.

RULE 43.3. Committee Substitutes Adopted by the Senate to Bills Originating in the House; Procedure for Treatment of Material Amendments thereto.—(a) Whenever the Senate has adopted a committee substitute for a bill originating in the House, and has returned the

bill to the House for concurrence in that committee substitute, the House may not concur in that committee substitute until the next legislative day following the day on which the House receives that committee substitute.

(b) The Speaker may, and upon motion supported by a majority of the House present and voting shall, refer the bill to an appropriate standing committee for consideration of the committee substitute.

(c) The Speaker shall, in placing the bill on the calendar, rule whether the committee substitute is a material amendment under Article II, Section 23, of the State's Constitution which reads:

"Revenue bills.—No law shall be enacted to raise money on the credit of the State, or to pledge the faith of the State directly or indirectly for the payment of any debt, or to impose any tax upon the people of the State, or to allow the counties, cities, or towns to do so, unless the bill for the purpose shall have been read three several times in each House of the General Assembly and passed three several readings, which readings shall have been on three different days, and shall have been agreed to by each House respectively, and unless the yeas and nays on the second and third readings of the bill shall have been entered on the journal."

If the committee substitute was referred to standing committee, the standing committee shall:

- i. report the bill with the recommendation either that the House concur or that the House do not concur; and
- ii. advise the Speaker as to whether or not that committee substitute is a material amendment under Article II, Section 23, of the State's Constitution.

(d) If the committee substitute for a bill is not a material amendment, the question before the House shall be concurrence.

(e) If the committee substitute for a bill is a material amendment, the receiving of that bill on messages shall constitute first reading and the question before the House shall be concurrence on second reading. If the motion is passed, the question then shall be concurrence on third reading on the next legislative day.

(f) No committee substitute adopted by the Senate to a bill originating in the House may be amended by the House.

RULE 44. Conference Standing Committees.—(a) Whenever the House shall decline or refuse to concur in amendments put by the Senate to a bill originating in the House, or shall refuse to concur in a substitute adopted by the Senate for a bill originating in the House or whenever the Senate shall decline or refuse to concur in amendments put by the House to a bill originating in the Senate, or shall refuse to concur in a substitute adopted by the House for a bill originating in the Senate, a conference committee may be appointed by the Speaker upon his own motion or shall be appointed upon request by the

principal sponsor of the original bill, the Chair of the House standing committee which reported the bill, or by the sponsor of the amendment in which the Senate refused to concur; and the bill under consideration shall thereupon go to and be considered by the joint conferees on the part of the House and Senate. In appointing members to conference committees the Speaker shall appoint no less than a majority of members who generally supported the House position as determined by the Speaker.

(b) Only such matters as are in difference between the two houses shall be considered by the conferees, and the conference report shall deal only with such matters. The conference report may be made by a majority of the House members of such conference committee and shall not be amended.

(c) If the conferees fail to agree, new conferees may be appointed. However, if either house refuses to adopt the report of its conferees, no new conferees may be appointed.

RULE 44.1. Transmittal of Bills to Senate.—Unless ordered by the Speaker or two-thirds (2/3) vote of the members present and voting, no bill shall be sent from the House on the day of its passage, except on the last day of the session.

VII. Legislative Officers and Employees

RULE 45. Elected Officers.—(a) The House shall elect one of its members Speaker.

(b) The House shall elect one of its members Speaker Pro Tempore who shall perform such duties as the Speaker may assign and shall preside over the House in the absence or incapacity of the Speaker and shall perform all of the duties of the Speaker until such time the Speaker may assume the Chair.

(c) The House shall elect a Principal Clerk, a Reading Clerk and a Sergeant-at-Arms, each of whom shall have and perform such duties and responsibilities not inconsistent with these Rules as the Speaker may assign. The Principal Clerk shall continue in office until another is elected. The Reading Clerk and Sergeant-at-Arms shall serve at the pleasure of the Speaker.

RULE 46. Assistants to Principal Clerk and Sergeant-at-Arms.—The Principal Clerk and the Sergeant-at-Arms may appoint, with the approval of the Speaker, such assistants as may be necessary to the efficient discharge of the duties of their respective offices.

RULE 47. Speaker's Clerk, Chaplain, and Pages.—(a) The Speaker may appoint one or more clerks to the Speaker, a Chaplain of the House, and pages to wait upon the sessions of the House.

(b) When the House is not in session, the pages shall be under the supervision of the Supervisor of Pages.

(c) No member may have more than 10 persons designated as honorary pages.

RULE 48. Clerks and Secretaries.—(a) Each standing committee and permanent subcommittee shall have a clerk. The clerk to a standing committee or permanent subcommittee shall serve as secretary to the Chair of the standing committee or permanent subcommittee.

(b) Each member shall be assigned a secretary, unless he has a standing committee or permanent subcommittee clerk to serve as secretary.

(c) The selection and retention of clerks and secretaries shall be the sole prerogative of the individual member or members. Such clerks and secretaries shall file initial applications for employment with the Principal Clerk and shall receive compensation as prescribed by the Legislative Services Commission. The employment period of clerks and secretaries shall commence not earlier than the convening date of the General Assembly and shall terminate not later than the final adjournment or recess of the General Assembly unless employment for an extended period is approved by the Speaker. The clerks and secretaries shall adhere to such uniform rules and regulations not inconsistent with these Rules regarding hours and other conditions of employment as the Legislative Services Commission shall fix by appropriate regulations.

RULE 49. Compensation of Clerks and Secretaries.—No clerk, laborer, or other person employed or appointed under Rules 47, 48, and 49 hereof shall receive during such employment, appointment, or service, any compensation from any department of the State government, and there shall not be voted, paid or awarded any additional pay, bonus or gratuity to any of them, but they shall receive only the pay now provided by law for such duties and services.

VIII. Privileges of the Hall

RULE 50. Admittance to Floor.—No person except members, officers and employees of the General Assembly and former members of the General Assembly who are not registered under the provisions of Article 9 of Chapter 120 of the General Statutes of North Carolina shall be allowed on the floor of the House during its session, unless permitted by the Speaker or otherwise provided by law. Employees of the General Assembly shall wear identification tags, approved by the Legislative Administrative Officer, when on the floor of the House.

RULE 51. Admittance of Press.—Reporters wishing to take down debates may be admitted by the Speaker, who shall assign such places to them on the floor or elsewhere, to effect this object, as shall not interfere with the convenience of the House. Reporters admitted to the floor of the House shall observe the same requirements of attire for members contained in Rule 12(h).

RULE 52. Extending Courtesies.—Courtesies of the floor, galleries or lobby shall be extended at the discretion of the Speaker and only by the Speaker. Requests by members to extend these courtesies shall be typewritten and delivered to the Speaker. No member shall orally ask the Speaker to extend these courtesies during the daily session.

RULE 53. Order in Galleries and Lobby.—In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker or other presiding officer is empowered to order the same to be cleared.

IX. General Rules

RULE 54. Attendance of Members.—No member or officer of the House shall absent himself from the service of the House without leave, unless from sickness or disability.

RULE 55. Documents to be Signed by the Speaker.—All acts, addresses, and resolutions and all warrants and subpoenas issued by order of the House shall be signed by the Speaker or other presiding officer.

RULE 56. Printing or Reproducing Materials.—There shall be no printing or reproducing of paper(s) that are not legislative in essence except upon approval of the Speaker.

RULE 57. Placement or Circulation of Materials.—Persons other than members of the House shall not place or cause to be placed any materials on members' desks in the House Chamber without obtaining approval of the Speaker. Any material placed on members' desks in the House Chamber, or circulated to House members anywhere in the Legislative Building or the Legislative Office Building, shall bear the name of the originator.

RULE 58. Rules, Rescission and Alteration.—(a) These rules shall not be permanently rescinded or altered except by House simple resolution passed by a two-thirds ($2/3$) vote of the members present and voting. The introducer of the resolution must on the floor of the House give notice of his intent to introduce the resolution on the legislative day preceding its introduction.

(b) Except as otherwise provided herein, the House upon two-thirds ($2/3$) vote of the members present and voting may temporarily suspend any rule.

RULE 59. Limitation on Cosponsorship of Bills and Resolutions.—Any member wishing to cosponsor a bill or resolution which has been introduced may do so by appearing in the office of the Principal Clerk for such purpose within one-half hour following the adjournment of the session during which such bill or resolution was first read and referred.

RULE 60. Correcting of Typographical Errors.—The Legislative Administrative Officer may correct typographical errors appearing in House bills or resolutions provided that such corrections are made before ratification and do not conflict with any actions or rules of the Senate and provided further that such correction be approved by the Chair of the Standing Committee on Rules, Appointments and Calendar, the Speaker or other presiding officer.

RULE 61. Assignment of Seats.—A member who has served in the immediate preceding session may retain his seat in the subsequent biennial session. After initial assignment of seats, a member shall continue to occupy the seat to which initially assigned for the entire biennial

session. In event of vacancy that member's successor will occupy the seat of the member he replaces for the remainder of the biennial session, but such successor shall not be considered as one who has served in the immediate preceding session for the purposes of seat assignment in the subsequent biennial session.

RULE 61.1. Office Assignments.—The Chair of the Standing Committee on Rules, Appointments and Calendar shall assign to each member an office space. When available, Chairs of standing committees and permanent subcommittees shall be assigned an office adjacent to the room in which the standing committee or permanent subcommittee generally meets if the Chair so desires. The Speaker shall be assigned an office of his choice.

RULE 61.2. Convening and Assigning Seats in the New House.—(a) The Principal Clerk of the previous House of Representatives shall convene the House of Representatives at 12:00 noon on the date established by law for the convening of each regular session, and preside over the body until the members elect a Speaker. In the case of a vacancy, inability, or refusal to so serve, the duty shall devolve upon the sergeant-at-arms of the prior House, and in the case of a vacancy in that office, or inability or refusal to so serve, the duty shall devolve upon the reading clerk of the prior House.

(b) It shall be the duty of the Chair of the Standing Committee on Rules, Appointments and the Calendar of the prior House to assign seats to the members of the House of Representatives in its Chamber. In the case of a death of the Chair of the Standing Committee on Rules, Appointments and the Calendar, or that Chair's inability or refusal to serve, the Speaker of the prior House of Representatives shall appoint a person to assign seats to members of the House of Representatives in its Chamber.

RULE 62. Matters not Covered in These Rules.—Except as herein set out the rules of Mason's *Manual of Legislative Procedure* shall govern the operation of the House.

Sec. 2. This resolution is effective upon adoption.

H.R. 107, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

Be it resolved by the House of Representatives:

Section 1. The following procedures for nominating and electing members of the Board of Governors of The University of North Carolina are adopted:

I. COMMITTEE RESPONSIBILITIES.

1. It is the duty of the Education Committee of the House of Representatives, in conjunction with the Subcommittee on University

Education and Affairs, (hereinafter the "Subcommittee") to select nominees for each opening in each category of seats on the Board of Governors of The University of North Carolina to which the House of Representatives is to elect members.

2. The Subcommittee shall receive suggestions of proposed candidates for nomination for election to the University Board of Governors through 11:00 a.m. February 28, 1991. Any person proposed in writing by any member of the House of Representatives to the Chairman of the Subcommittee shall be considered as a candidate for nomination. Representatives may propose up to eight persons as candidates for nomination and shall ascertain that the candidates they propose for nomination are qualified to serve as members of the Board of Governors of The University of North Carolina pursuant to G.S. 116-7(b), and are willing to serve if elected. A Representative may propose candidates for nomination only for the categories available for election by the House of Representatives. A candidate may not be proposed for nomination in more than one category.

3. The House of Representatives is to elect persons to fill eight seats on the Board of Governors. The categories of those seats (and the number of seats in each category) for election by the House of Representatives are as follows:

- Women members for four-year terms (2)
- Minority race members for four-year terms (2)
- At-large members for four-year terms (4).

4. After the February 28, 1991 deadline, the Subcommittee shall list all the proposed candidates for nomination by category. The Subcommittee shall screen the proposed candidates as to their qualifications and background and may interview each one to make sure that suitable persons are nominated for each category. Subcommittee interviews shall commence on March 5, at 11:00 a.m. There will be a break for session and the interview process will resume 15 minutes after session adjourns for the day. Representatives proposing candidates for nomination are responsible for notifying their candidates of the deadline for nominations and the interview date and times. During the interviews, the Subcommittee shall confirm that each candidate for nomination is willing and able to serve and has no statutory disability.

5. After the interview process is complete, the Subcommittee shall vote to determine whether each person proposed shall be recommended to the Education Committee for placement on the House ballot. In those instances where more than one person has been proposed as a candidate for a vacancy, the Subcommittee shall recommend at least two candidates for that vacancy to the Education Committee for placement on the ballot. When the Subcommittee recommends more than one candidate for any vacancy, the Subcommittee shall vote to recommend to the Education Committee whether each person proposed shall be placed on the House ballot as a "Recommended Nominee" or a "Nominee". A majority vote of the members of the Subcommittee who are present and voting shall constitute one a

“Recommended Nominee” or a “Nominee”, as the Subcommittee shall determine.

6. The recommendations of the Subcommittee shall be placed before the Education Committee. In those instances where more than one person was proposed to the Subcommittee as a candidate for a vacancy, the Education Committee shall place at least two nominees for the vacancy on the House ballot. The procedures and rules for voting for a slate of nominees and the designation of a nominee as a “Recommended Nominee” or “Nominee” for the House ballot are as set out for the Subcommittee in paragraph 5.

7. The Chairman of the Subcommittee shall contact the members of the General Assembly who proposed the candidates nominated for election by the House of Representatives and ascertain whether they would serve if elected. Any nominee may withdraw his name without the approval of the person who proposed his name.

II. ELECTIONS IN THE HOUSE OF REPRESENTATIVES.

1. A list of nominees shall be prepared under the supervision of the Chairman of the Subcommittee for the information of the House of Representatives.

2. The list shall be composed of nominees proposed by the Education Committee who have consented to run and for whom the House is entitled to vote. Their names shall be arranged (a) by category and (b) within each category, alphabetically by surname. Where more than one nominee is listed for any vacancy, the list shall contain the designation “Recommended Nominee” or “Nominee” as the Education Committee shall have determined.

3. The House of Representatives shall hold its election after being notified by Special Messenger that the Senate has completed its election. Before the voting begins, the Speaker of the House of Representatives shall explain the voting rules, which are:

- (i) No nomination shall be received from the floor.
- (ii) In order to be chosen, a nominee must receive the votes of a majority of all members present and voting for his category.
- (iii) Each member present and voting shall vote for as many nominees as there are positions to be filled in each category.
- (iv) When a member for a category containing a single position is to be chosen and no nominee receives a majority of the votes cast for all the nominees in that category, a runoff shall be conducted between the person receiving the highest and the person receiving the second highest number of votes cast.
- (v) When fewer than two nominees in the women members category, two nominees in the minority race category, or four nominees in the at-large category receive the votes of a majority of all members present and voting for positions in that category, a runoff to fill the open position or positions shall

be conducted among the nominees receiving the highest number of votes cast, and the number of nominees eligible to be voted on in the runoff shall be twice the number of positions to be filled.

(For the purpose of illustration, if when the first ballot is taken, no nominee in the at-large category receives a majority, then the top eight vote getters in the at-large category will be in the runoff because there must be twice the number of persons in the runoff that there are positions to be filled and the House has four such positions to fill. If one person receives the votes of a majority of all members present and voting for that category, then he is elected and a runoff will be held among the six next highest vote getters. This is so because there are three positions remaining to be filled and there must be twice the number of nominees in the runoff that there are positions available, therefore four.)

(vi) If there is a tie for the last position between two nominees who are eligible for the next runoff, both nominees shall be included in the next runoff, even though there would thereby be more than two nominees per available position on the Board of Governors.

(vii) When more than two nominees in the women's category, two nominees in the minority race category, or four nominees in the at-large category receive the votes of a majority of all members present and voting for positions in that category, then the nominees receiving the highest number of votes in that category shall be deemed to have been chosen.

4. The members of the House of Representatives shall proceed to vote by roll call for the following:

Two persons in the minority race category for four-year terms; and

Two women for four-year terms; and

Four persons in the at-large category for four-year terms.

5. The Chairman of the Subcommittee shall be responsible for canvassing the vote and declaring the results thereof.

6. When the Chairman of the Subcommittee has determined that the House of Representatives has chosen two members of the Board of Governors from the minority race category for four-year terms, two members of the Board from the women's category for four-year terms, and four members of the Board from the at-large category for four-year terms, the Speaker of the House shall declare those eight persons to have been elected by the House of Representatives to the indicated positions and for the indicated terms.

7. The results of the election in the House of Representatives shall then be sent by Special Messenger to the Senate.

III. NOTIFICATION OF ELECTION RESULTS.

When the election process is complete, the Chairman of the Subcommittee shall notify the Secretary of the Board of Governors of The University of North Carolina of the names of the persons elected by the House of Representatives and the category for which and term for which each of them was elected.

Sec. 2. This resolution is effective upon adoption.

H.R. 1314, A HOUSE RESOLUTION HONORING THE MEMORY OF STEPHEN CABARRUS AND THE COUNTY OF CABARRUS AS IT PREPARES FOR ITS BICENTENNIAL OBSERVANCE.

Whereas, Cabarrus County was formed on December 29, 1792, from Mecklenburg County and was named in honor of Stephen Cabarrus of Chowan County, then the distinguished Speaker of the House of Commons; and

Whereas, the Cabarrus County area was formerly a part of New Hanover, Bladen, Anson, and Mecklenburg Counties, and was first settled in 1732 by Scotch-Irish and German pioneers who travelled from Pennsylvania along the Great Wagon Road; the earliest settlers were soon joined by Swiss, English, and Welsh pioneers; and

Whereas, all those early adventurers brought with them a strong devotion to family and church, and a love of country; they were Presbyterian, Lutheran, German Reformed, Baptist, and Methodist, and once their homes were built, they built great churches whose doors are still open for worship; and

Whereas, Cabarrus County was still a part of Mecklenburg County on May 20, 1775, and participated through distinguished delegates in preparing and signing resolutions now known to history as the Mecklenburg Declaration of Independence, and provided both continental soldiers and large numbers of militia during the American Revolution; and

Whereas, men and women from Cabarrus County have answered their country's call to the colors in every armed conflict from the War of 1812 through the Desert Storm operation, and have served with valor and distinction; and

Whereas, gold was first discovered in Cabarrus County in 1799, which began the Carolina Gold Rush, the history of which is preserved in the Reed Gold Mine State Historic Site; and

Whereas, there are within the county great sports facilities at Charlotte Motor Speedway and Concord Motor Speedway, and great manufacturing plants for Fieldcrest Cannon, Inc., and Phillip Morris U. S. A.; and

Whereas, the people of the county retain the characteristics of independent spirit, loyalty, patriotism, and strong religious values, are

proud of their history and are preserving at great expense their historic 1876 Courthouse, and seek to remember their heritage and claim a bright future; and

Whereas, a bicentennial committee is planning celebrations and observances for the entire year of 1992, collecting and preserving their historic records, and publishing accounts of the early history of the county;

Now, therefore, be it resolved by the House of Representatives:

Section 1. The North Carolina House of Representatives wishes to honor the citizens of Cabarrus County as they plan and celebrate their bicentennial.

Sec. 2. The Principal Clerk shall transmit a certified copy of this resolution to the County of Cabarrus and to the Bicentennial Committee.

Sec. 3. This resolution is effective upon adoption.

BILLS AND RESOLUTIONS INTRODUCED BY MEMBERS 1991

*Asterisk notes Principal Introducer

ABERNETHY, J. VERNON

Nos. 1, 7, 8, 9, 10, 11, 12, 13, 23, 24, *57, 61, 79, 115, 116, 159, *163, 175, *184, *185, 198, 280, *308, 398, *401, 402, 403, *503, *504, 532, 533, 546, 552, *565, *582, 654, *658, 709, *773, *789, 830, 866, 914, 954, 1174, *1226.

ALBERTSON, CHARLES W.

Nos. 1, 56, 64, 70, 199, 260, 300, 306, 307, 312, 314, 315, 320, *348, *390, 415, 466, *467, *468, 546, 550, 553, 581, 615, 709, 714, 715, 787, *790, 866, *867, 899, 914, 932, 938, 1095, *1174, 1182, 1183, 1186, 1260, 1261.

ANDERSON, GERALD L.

Nos. 1, 98, *132, 163, *166, 168, 205, 260, 266, *275, *323, *324, 347, *406, 436, 466, *486, *487, 526, 583, 590, 709, *711, *712, *713, *714, *715, *716, *785, *786, 865, 867, 889, 914, 931, 938, 947, *973, *974, *975, *976, *977, *978, *979, *980, 999, 1037, 1039, 1051, 1052, *1082, 1095, 1137, 1182, 1183, 1184, 1197, 1210, *1244, 1261, 1271, *1273, 1287, *1294.

BALMER, DAVID G.

Nos. 1, 57, *119, 145, 160, 179, *247, 271, 290, *305, 343, 402, 407, 532, 533, 546, 560, 566, 709, 747, 866, 867, 914, 931, 947, 954, 1040, 1063, 1127, 1171, 1172, *1310.

BARBEE, BOBBY HAROLD, SR.

Nos. 1, 27, 28, 29, 30, 31, 109, 110, 195, 196, *233, 306, 312, 314, 315, 320, 402, 414, 531, 533, 546, 581, 590, 615, 621, 679, 709, *800, *801, 866, 867, 909, 914, 918, 932, 954, 1037, 1085, 1127, 1159, 1165, 1174, 1261, 1296, 1314.

BARNES, ANNE C.

Nos. 1, 5, *32, 109, 110, *123, 145, 164, 165, *182, 188, *222, 260, *262, 296, 312, 313, 314, 315, *347, *383, *384, *387, *388, *517, *518, *542, 563, 564, 576, 578, 589, *599, 605, *627, 654, 656, 687, 693, 746, 787, *875, *893, 914, *915, *916, 930, 938, 956, 1007, *1011, *1012, 1037, 1096, 1097, *1141, *1142, 1161, 1162, 1173, 1184, 1186, 1227, *1246, *1250, 1251, 1260, 1261, *1304.

BARNHILL, HOWARD C.

Nos. 1, 5, 64, 114, 161, 168, 183, 188, 247, 269, 270, *271, 290, 291, 292, 293, 294, 296, 311, 312, 313, 314, 315, 343, 347, 399, 416, *497, *498, *499, 531, 532, 533, 555, 560, 563, *564, 615, 654, 687, 746, 787, 879, 914, 923, 954, 956, 1013, 1062, 1063, 1080, 1084, 1137, 1154, 1161, 1171, 1172, 1173, 1183, 1184, 1223, 1260, 1261, 1280, 1292.

BEALL, CHARLES M.

Nos. 1, *5, 70, 145, 175, 188, *229, *237, 312, 313, 314, 315, *345, 347, *374, *378, *381, *392, 531, 546, 556, 566, 581, *594, 605, 687, 689, 714, 715, 746, 811, 827, *838, *839, *840, *841, *896, 914, 938, 956, 1013, 1014, 1022, 1084, 1095, 1096, 1097, 1122, *1136, 1137, 1154, 1184, *1268, 1291.

BEARD, R. D.

Nos. 1, *90, *91, *92, *93, *95, 175, 178, 189, *210, *215, 256, 260, *301, 349, *351, 436, 458, *481, *482, *483, *484, 526, 531, 533, 546, 581, 590, *606, 654, 699, *761, *845, *846, *847, 876, 879, 881, 914, *918, *919, 923, 932, 938, 994, 1084, 1137, 1153, 1183, 1184, 1216, 1260, 1261, *1296, 1302, *1306.

BLACK, JAMES B.

Nos. 1, 5, 89, 145, 188, 235, 247, 269, 270, 271, 290, 292, 293, 294, 312, 313, 314, 315, 343, 347, 416, 497, 498, 499, 560, *569, 709, *740, *743, 744, 745, *747, 787, 866, 867, 914, 954, *982, 1013, 1062, 1063, 1186, 1250, 1260, 1261.

BLUE, DANIEL T., JR.

Nos. 1, *914, 1223, 1250, 1313.

BOWEN, EDWARD C.

Nos. 1, *4, 56, 300, 347, 415, 526, 531, 546, *793, *794, *795, *796, *797, *798, *799, 914, *1046, 1092, 1123, 1174, 1183, 1191, 1192, 1240, 1260, 1261, 1265, *1276, *1298, *1301, *1303.

BOWIE, JOANNE W.

Nos. 1, *66, 70, 76, 80, 81, 145, 188, 216, 227, 240, 244, 249, 259, 280, 312, 313, 314, 315, 342, 347, 501, 532, 533, 546, 609, 679, 709, *762, 866, 867, 870, 912, 914, 918, 921, 931, 932, 936, 956, 1008, *1085, 1125, *1159, 1173, 1174, 1218, 1261.

BOWMAN, J. FRED

Nos. 1, 5, 6, 8, 11, 12, 24, 25, 26, 27, 28, 29, 30, 31, 32, 37, 38, 39, 40, 48, 56, 58, 65, 67, *69, 70, 72, 73, 74, 75, *82, 89, 91, 97, 99, 105, 107, 109, 123, 125, 131, 133, 134, 135, 137, 140, 141, 148, 149, 150, 151, 152, 154, 160, 164, 168, 170, 175, 176, 177, 186, 187, 188, 192, 196, 198, 199, 201, 205, 206, 208, 210, 212, 213, *214, 216, 219, 228, *231, 232, 236, 240, 245, 254, 256, *258, *259, 260, 269, 282, 284, 285, 293, 297, 301, 304, 306, 307, 311, 312, 313, 314, 315, 323, 325, 333, *334, 338, 342, 346, 347, 349, 353, 361, 365, 368, 371, 373, 380, 392, 399, 409, 411, 414, 415, 425, 426, 427, 436, 437, 442, 450, 457, 459, 483, 486, 494, 496, 506, 508, 515, 516, 523, 526, 528, 529, 532, 546, 551, 554, 570, *579, 588, 590, 591, 594, 612, 615, 620, *628, 632, 640, 654, 678, 679, 709, 714, 716, 719, 725, 740, 741, 744, 745, 749, 751, 752, 754, 758, 787, 818, 827, 828, 830, 832, 837, 843, 845, 847, 851, 853, 858, 859, 861, 866, 867, *874, 879, 882, *888, 890, 897, 899, 905, 909, 910, 914, 917, 921, 923, 936, 938, 949, 954, 968, 969, 974, 976, 983, 993, 1003, 1010, 1013, 1024, 1039, 1050, 1051, 1052, 1053, 1057, 1059, 1070, 1082, 1083, 1086, 1091, *1098, 1104, 1108, 1116, 1119, 1122, 1137, 1138, 1143, 1147, 1153, 1159, 1166, 1167, 1168, 1170, 1174, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1197, 1204, 1207, *1208, 1211, 1217, 1223, 1225, 1226, 1228, 1229, 1237, 1239, 1240, 1245, 1250, 1251, 1252, 1255, 1261, 1278, 1287, 1301, 1303.

BRAWLEY, C. ROBERT

Nos. 7, 8, 9, 10, 11, 12, 13, 23, 24, *44, *45, *46, *47, 50, 51, 61, 188, 189, 195, *248, *444, *445, *446, 466, *543, *544, 568, 570, 590, *625, 656, *669, *670, 709, *782, *822, *833, *834, *835, *836, 842, 866, *877, *878, *897, 914, 918, 921, 931, 933, *1002, 1037, 1040, 1041, *1049, 1127, 1155, 1211, 1237, 1251, 1261, 1296.

BROWN, JOHN W.

Nos. 1, 14, 17, 18, 19, 27, 28, 29, 30, 31, 70, 125, 188, 189, 306, 311, 312, 313, 314, 315, 347, 404, 414, 466, 567, 568, 590, 615, 656, 674, *675, 709, 741, 827, 830, 870, 914, 921, 931, 933, 1040, 1041, *1127, 1174, 1211.

BRUBAKER, HAROLD J.

Nos. 1, *22, *52, *53, *54, *55, 155, *177, 187, 195, 227, 259, *267, 277, 415, 436, 466, 709, 866, *869, 870, *895, 914, 931, 1009, *1022, 1033, 1184, 1210, 1261.

BUCHANAN, CHARLES F.

Nos. 1, 5, 8, 48, *62, 63, 65, 70, 145, 164, 165, *172, 180, 182, 188, 191, 195, 196, 209, 210, *230, 238, *297, *298, 300, 312, 313, 314, 315, 349, 362, 364, *382, 393, 436, 466, 529, 530, 531, 550, 558, 575, 581, *611, 624, 656, 709, 830, 842, 866, 906, 914, 921, *925, 931, 947, 954, 1013, 1040, 1041, 1122, 1127, *1160, *1198, *1199, *1232, *1233, 1243, 1261.

CHAPIN, HOWARD B.

Nos. 1, 17, 18, 70, 115, 116, 117, 118, 163, 181, *201, 223, 260, *328, 347, 537, 546, 570, *592, 654, 709, *783, *784, 870, 914, 931, 938, *983, 1123, *1134, 1174, 1183, 1186, 1260, 1261.

CHURCH, JOHN T.

Nos. 1, 60, 188, 260, 266, 281, 282, *299, 300, 306, 312, 313, 314, 315, 374, 392, 399, 452, *603, 634, 676, 677, 866, 867, 909, 914, 938, 1051, 1052, 1069, 1095, 1096, 1097, 1182, 1183, 1184, 1261.

COLTON, MARIE W.

Nos. 1, 5, 25, 26, 65, 71, 72, 73, 74, 75, 108, 139, 140, 141, 142, 143, 144, 145, 173, 174, 188, 199, *203, *204, 205, 268, 312, 313, 314, 315, *318, *319, 347, 365, 368, *380, 389, 414, 415, 416, 441, *448, *449, 466, 497, 498, 499, 506, *523, *524, *525, 531, 562, 564, 589, *629, 638, 654, 656, 687, 693, *735, 744, 745, 787, 912, 914, 924, 927, 930, 932, 951, 952, 956, 960, 961, 962, 981, 999, 1000, 1004, 1005, 1007, 1011, 1012, 1013, 1019, 1020, 1021, 1037, *1060, 1062, 1120, 1137, *1143, *1148, *1149, 1154, 1174, *1175, 1184, 1187, 1211, *1212, 1227, 1243, 1246, *1247, *1248, *1249, *1251, 1259, 1260, 1261, 1291.

COOPER, ROY A. III

Nos. 1, 89, 145.

CRAWFORD, JAMES W., JR.

Nos. 1, 27, 28, 29, 30, 31, *60, 70, 72, *77, 89, 139, 140, 141, 142, 143, 144, 145, *148, *149, *150, *151, *152, 188, 250, 251, 252, 255, 260, 296, 300, 307, 342, 347, *427, *428, *429, 531, 532, 533, 546, 603, *634, 656, 676, 677, 709, 787, *880, 914, 938, 1095, 1097, 1123, *1169, *1170, 1183, 1184, 1246, 1260, 1261, *1277.

CRAWFORD, N. J.

Nos. 1, 5, 25, 65, *71, *72, *73, *74, *75, *139, *140, *141, *142, *143, *144, *145, 168, 187, 188, 203, 204, 205, 213, 259, 306, 312, 313, 314, 315, 347, 365, 366, 367, 368, 380, 389, 399, 409, 410, 411, 412, 413, 414, 436, *441, 448, 449, 526, 529, 541, 551, 564, 581, 589, 638, 654, 709, 714, 715, 735, 744, 745, 787, 866, 867, 876, 881, 888, 914, 954, 956, 1004, 1008, 1013, 1014, 1062, 1143, 1148, 1149, *1153, 1154, 1174, 1175, 1184, 1187, 1211, 1212, 1227, 1247, 1260, *1261, 1291, 1296.

CREECH, BILLY J.

Nos. 1, 89, *100, 176, 181, 260, 311, *329, *330, *331, 466, 590, 656, 679, *684, 709, 741, 866, 909, 914, 921, 931, 938, 994, 1174, 1261.

CULP, ARLIE F.

Nos. 1, 56, 64, 70, 89, 158, 160, 187, 195, 196, 216, 227, 259, 312, 313, 314, 315, 320, 415, 526, 531, 532, 533, 546, 550, 564, 581, *653, 709, 750, 787, 828, 834, 842, 866, 914, 931, 933, 1008, 1041, 1050, 1261.

CUNNINGHAM, W. PETE

Nos. 1, 5, 70, 173, 181, 191, 247, 269, 270, 271, 286, 290, 292, 293, 294, 296, *343, 347, 399, 416, 555, 560, *563, 564, 654, 656, 709, 741, 914, 954, 956, 995, 1013, 1037, 1063, 1080, 1084, 1095, 1096, 1097, *1135, 1137, 1173, 1183, 1204, 1223, 1261, 1292.

DAWKINS, DONALD M.

Nos. 1, *130, 145, *153, *175, *224, 263, *309, *310, 347, 466, *643, *644, *645, *646, *647, 654, *690, 866, *876, *881, 914, *955, 1024, 1095, 1251, 1261.

DECKER, MICHAEL P.

Nos. 1, 8, 14, 19, 58, 65, 66, 68, 76, 156, 189, 192, 216, 217, 231, *240, 244, 590, *657, *665, *666, 741, 844, 870, 914, 1009, *1040, *1041, *1099, 1127, *1295.

DEVANE, DANIEL H.

Nos. 1, 17, 18, 25, 28, 29, 30, 31, 88, 133, 134, 135, 136, 137, 139, 140, 141, 142, 143, 144, 146, 147, 176, 187, 189, *228, 306, 312, 313, 314, 315, 320, 326, 347, 406, *409, *410, *411, *412, *413, *528, *529, *530, *541, *551, 581, 589, 605, 612, 654, 679, *701, 702, 709, 741, 787, *812, *813, *814, *815, 870, *899, *900, *901, 914, 923, 1009, 1095, 1174, 1183, 1184, *1185, 1210, 1260, *1278, 1296, 1302.

DIAL, ADOLPH L.

Nos. 1, 15, 88, 188, 189, 260, 312, 313, 314, 315, 326, *350, 590, *595, 687, 701, *702, 812, 914, 938, 956, 1084, 1173, 1183, 1260, 1261.

DIAMONT, DAVID H.

Nos. 1, 25, 83, 89, 94, *187, 188, 205, 306, 312, 313, 314, 315, *327, 347, 349, 399, 436, 449, 488, 489, 490, 491, 590, 654, *685, *686, 709, 742, 746, 787, *828, 830, 909, *910, 914, 938, 956, *967, *968, 1007, 1101, 1137, *1138, 1154, *1163, 1173, 1182, *1184, 1245, 1250, 1259, *1260, 1261.

DICKSON, W. W.

Nos. 1, 2, 3, 14, 52, 53, 54, 55, *99, 112, 121, 155, 168, 183, 185, 259, 260, 280, 286, *302, 308, 314, 347, 349, 352, *423, *424, *425, 436, 447, 466, 497, 498, 499, 709, 741, 787, 867, 870, 871, 914, 921, 938, *994, 1016, *1112, 1155, 1261.

DOCKHAM, JERRY

Nos. 1, 2, 3, *158, 243, 306, 349, 436, *522, 527, 538, 539, 588, 615, 621, 639, 709, 741, 787, 816, 842, 866, 870, 914, 921, 923, 933, 1016, 1040, 1123, 1127, 1261.

EASTERLING, RUTH M.

Nos. 1, 5, 22, 25, 26, 33, 34, 35, 36, 37, 38, *41, 108, 145, *173, *174, *181, 187, 188, 203, 204, 205, 235, 247, *268, 269, 270, 271, 290, 291, 292, 293, 294, 312, 313, 314, 315, 319, 343, 347, 399, *416, 466, 497, 498, 499, 560, *562, *622, 654, 679, 709, 787, 909, 914, 930, 954, 956, 996, 1008, 1013, 1022, *1062, *1063, 1084, 1122, 1137, 1143, 1161, 1162, *1171, *1172, 1184, 1187, 1194, 1215, 1242, 1248, 1249, *1259, 1260, 1261, 1280, 1285, 1286, 1288.

ESPOSITO, THERESA H.

Nos. 1, 14, 68, 125, 156, *183, 198, 211, 280, 312, 313, 314, 315, 347, 497, 498, 499, 500, *506, 532, 533, 546, 709, 866, 914, 954, 1184, 1261.

ETHRIDGE, BRUCE

Nos. 1, 5, 57, 70, 72, 73, 74, 75, *87, 145, 163, 168, 187, 205, 272, 347, 399, *422, 448, 449, 466, *589, *590, 659, 660, 709, 746, 787, *817, *818, 827, 843, 866, 870, *908, 914, 1007, 1022, 1037, 1062, 1084, 1095, 1096, 1097, *1120, *1121, 1122, *1147, *1156, 1182, 1183, 1184, 1186, 1197, 1210, 1227, 1237, 1257, 1261, *1272, 1294.

FITCH, MILTON F., JR.

Nos. 1, 5, *109, *110, *122, 187, 188, 260, 312, 313, 314, 315, 341, 347, 399, 486, 497, 498, 499, 519, 531, *549, 552, 563, 564, *654, 656, 709, *766, 866, 879, *894, 914, 921, 938, 956, *957, *958, *959, 995, 999, *1005, *1006, *1013, *1014, 1022, 1062, 1084, 1113, *1122, 1137, 1173, 1183, 1184, 1204, *1211, 1223, *1240, 1251, 1261, 1292, 1296, 1301, 1303, *1309.

FLAHERTY, DAVID T., JR.

Nos. 1, 14, 48, 63, 65, 71, 72, 73, 74, 75, 98, 116, 145, *179, *180, 188, 196, 204, 205, 238, 286, 298, 300, 306, 311, 347, *362, *363, *364, *379, 393, 414, 466, *509, *510, *511, *512, *513, *514, 531, 558, 588, 611, 612, 624, 654, 656, 679, 709, 830, 837, 843, 852, 867, 906, 912, 914, 945, 947, 954, 984, *987, 1001, 1003, 1013, 1033, *1042, *1043, *1044, *1045, *1066, *1116, *1117, *1118, *1119, 1120, *1126, 1127, 1130, 1184, 1198, 1199, *1210, 1232, 1233, 1237, *1243, 1260, 1261, 1291, *1305, *1308.

FLETCHER, RAY C.

Nos. 1, 5, 27, 28, 29, 30, 31, *48, 56, *63, 70, 72, 73, 74, 75, 87, 89, 90, 91, 92, 93, 145, 187, 188, 213, 238, 259, 312, 313, 314, 315, 347, 349, 364, *393, 399, 436, *485, 526, 546, 589, 590, *604, *624, *680, *681, 746, 827, 843, 865, 866, 867, 870, *873, *906, *907, 914, 921, *922, 1022, *1030, 1037, 1084, 1095, 1096, 1097, *1101, 1120, 1121, 1123, 1182, 1184, 1210, 1211, 1227, 1237, 1243, 1257, 1258, 1261.

FOSTER, JO GRAHAM

Nos. 1, 71, 72, 73, 74, 75, 89, 139, 140, 141, 142, 143, 144, 145, 188, 235, 247, 259, 268, 269, 270, 271, 290, 291, *292, *293, *294, 306, 312, 313, 314, 315, 343, 347, *358, *359, *360, 560, 564, 570, 590, 679, 709, 787, 876, 881, 954, 1062, 1063, 1122, 1137, 1153, 1161, 1162, 1171, 1172, 1184, 1239, 1261.

FUSSELL, AARON E.

Nos. 1, 5, 64, 145, 164, 165, 175, 182, 187, 188, 205, 347, 497, 498, 499, 546, *614, *635, 654, 709, *777, 914, 947, 956, 994, 1182, 1186, 1211, 1250, 1251, 1261, 1313.

GAMBLE, JOHN R., JR.

Nos. 1, 89, 91, *96, *97, *112, 120, *138, 161, 185, *232, 259, *261, 280, 286, 288, 302, 308, *322, 347, 349, *355, *356, *357, 399, 436, *580, 590, *601, *602, *696, *697, 709, *710, 866, 914, 938, 956, *970, *971, *972, 994, 1007, 1016, 1051, 1052, *1073, *1164, 1182, *1202, *1231, 1261.

GARDNER, CHARLOTTE A.

Nos. 1, 14, 28, 29, 30, 31, 122, 125, 159, 195, 196, *217, *238, 260, 306, 312, 313, 314, 315, 347, *377, 416, 435, 436, *500, 506, 510, 511, 514, 526, 527, 531, 532, 533, 546, 558, 562, 581, 590, 639, *691, 709, 741, 842, *872, 914, 921, 923, 933, 938, *953, *969, 1040, 1041, *1076, 1145, *1181, 1261.

GIST, HERMAN C.

- Nos. 1, 5, 66, 76, 89, 102, 103, 104, 108, *157, 188, *212, 216, 227, 244, 347, 399, *573, 609, *637, 654, 687, 709, 914, 923, 956, 1008, 1080, 1153, 1183, 1210, 1218, 1223, 1238, 1239, 1251, 1261, 1292, *1307.

GOTTOVI, KAREN E.

- Nos. 1, 69, 70, 71, 72, 73, 74, 75, 80, 89, 91, 96, 98, 102, 103, 104, 105, 106, 107, 108, 114, 115, 124, 125, 126, 127, 128, 145, 168, 187, 188, 195, 196, 205, 209, 236, 237, 262, 268, 293, 306, 312, 313, 314, 315, 318, 320, 324, 347, 399, 448, 449, *480, 531, 532, 533, 537, 546, 581, 589, *605, *612, 654, 679, *682, *683, 687, 693, 697, 709, *736, *737, *738, 741, 746, 768, 769, *772, 787, *852, 887, 910, *912, *913, 914, 916, 923, 930, 947, 960, 961, 962, 985, 986, 1001, *1007, *1008, 1013, 1021, 1037, 1057, 1060, 1062, 1074, 1076, 1084, 1104, 1120, 1122, 1142, 1154, 1159, 1161, 1183, 1184, 1210, *1227, 1251, 1260, 1261.

GRADY, ROBERT

- Nos. 1, 14, 89, 98, *115, *116, *117, *118, 163, 198, 286, 287, 306, 312, 313, 314, 315, 324, 588, 589, 590, *659, *660, 787, 817, 914, 921, 931, 947, *1032, *1033, *1034, *1035, *1036, 1159, 1174, 1261, 1294.

GRAY, LYONS

- Nos. 1, 14, *58, 68, 100, 108, 125, 155, *156, 173, 174, 203, 204, 211, 280, 306, *346, 347, 402, 403, 532, 546, 556, 566, *620, 709, *820, 830, *862, 866, 914, 923, *1086, 1153, 1184, *1200, *1201, 1239, 1261, *1290.

GREEN, JAMES P., SR.

- Nos. 1, 77, 89, 96, *108, 122, *161, 164, *165, 168, 182, 187, 188, 260, 347, 355, 357, *452, 497, 498, 499, *505, 546, 564, 603, 634, 654, 676, 677, 687, *871, *879, 914, 930, 938, 956, 970, 971, 972, 1022, 1037, *1051, *1052, *1069, 1084, 1095, 1096, 1097, 1154, 1173, 1183, 1184, *1204, 1223, 1258, 1261, 1292.

GREENWOOD, GORDON H.

- Nos. 1, 5, 26, 65, 70, 89, 139, 140, 141, 142, 143, 144, 145, 164, 165, 182, *188, 203, 204, 205, 213, 256, 312, 313, 314, 315, 320, 347, 359, *365, *366, *367, *368, 380, *389, 414, 416, 441, 448, 449, 497, 498, 499, 546, 564, 589, *638, 654, 656, 709, 735, 741, 744, 745, 787, 866, 870, 914, 936, 956, 1013, 1014, 1062, 1148, 1149, 1174, 1175, *1187, 1211, 1212, 1227, 1246, 1247, 1251, 1261, *1291.

GRIMMER, HARRY C.

Nos. 1, *133, *134, *135, *136, *137, 146, 147, 176, 179, 187, 189, 198, *234, 247, 269, 270, 271, *290, *291, 292, 293, 294, *311, 343, *344, 362, 402, 403, 416, 501, 531, 532, 533, 560, 709, *830, 866, 867, 914, *920, 921, 931, 954, *1001, 1109, *1131, 1261.

HACKNEY, JOE

Nos. 1, 5, 18, 114, 133, 134, 135, 136, 137, 145, *146, *147, 188, 347, *395, *396, *397, *398, 448, 449, 563, 564, *571, *572, 589, 654, 656, *829, 914, 947, *952, *1050, 1053, *1109, 1120, 1173, *1188, 1227, 1250, 1260, 1261, 1266.

HARDAWAY, THOMAS C.

Nos. 5, 17, 18, 56, 70, 98, 108, 150, 175, *191, 260, 312, 313, 314, 315, 345, 347, 350, 351, 399, 400, *430, *431, *432, *433, *434, *557, *558, *559, 563, 589, 610, 654, 656, *676, *677, 746, 866, 867, 879, 914, 930, 938, *990, *991, 1009, 1013, 1014, 1022, *1037, 1051, 1052, 1053, 1080, 1084, 1095, 1096, 1097, 1137, *1157, 1173, 1183, 1184, 1204, *1223, *1292.

HASTY, JOHN CALVIN

Nos. 1, 7, 8, 9, 10, 11, 12, 13, 22, 23, 24, 25, 33, *34, *35, *36, *37, *38, 41, 52, 53, 54, 55, 56, 61, 79, *88, 145, 189, *239, 260, *284, *285, *326, 679, 709, *717, 787, *788, *826, *855, 866, 909, 914, 932, 938, 1060, *1083, 1182, 1183, 1239, 1260, 1261, 1296, 1306.

HEGE, JOE H., JR.

Nos. 1, *155, 195, 196, *241, *242, *250, *251, *252, *253, *254, *255, 349, 436, 527, *538, *539, 552, 567, 639, 709, *742, *816, 842, 866, 870, 909, 914, 921, 923, *1015, *1016, 1022, 1040, 1041, 1158, *1230, *1311.

HENSLEY, ROBERT J., JR.

Nos. 1, 5, 26, 89, 145, 148, 152, 168, 174, 205, 208, 224, 249, 312, 313, 314, 315, 320, 334, 347, 350, 399, *426, 442, 480, 490, 494, 505, 526, 534, 562, 563, 579, 581, 590, 600, 635, 692, 725, 741, 746, 787, 866, 914, *942, *943, *944, *945, *946, *947, 956, 995, 1008, 1013, 1014, 1037, 1084, *1100, 1122, 1130, 1137, 1173, 1183, 1251, 1261, *1313.

HIGHTOWER, FOYLE

Nos. 1, 5, 124, 125, 127, 128, 145, 175, 188, 189, *263, *264, *265, 300, *556, *566, 709, *905, 914, 923, 938, *1095, *1096, *1097, 1120, 1154, 1174, 1261.

HOLMES, GEORGE M.

Nos. 1, 14, *42, *43, 52, 53, 54, 55, *154, 159, *186, 277, *385, 436, 546, 636, *674, 675, 709, 914, 1022, 1153, 1296.

HOLT, BERTHA M.

Nos. 1, 5, *26, *39, *40, *59, 108, *114, 187, 188, 205, 260, 268, *316, *317, 347, 399, 466, 555, 562, 591, 605, 656, *678, *821, *823, 879, 914, *926, *927, *928, 930, 938, 956, *999, *1000, 1013, *1065, 1076, 1108, 1137, 1143, *1150, *1151, 1154, 1182, 1206, *1209, 1239, 1260, 1261, 1307.

HOWARD, JULIA C.

Nos. 1, 3, 14, 19, 27, 28, 29, 30, 31, 89, 90, 109, 110, 125, 195, 196, 198, *243, 259, 280, 347, 349, 436, 466, 526, 527, 552, 567, 568, 570, 639, 709, 741, 842, 870, 914, 921, 931, *933, 938, 1015, 1016, 1123, 1137, 1261, 1291.

HUFFMAN, DORIS R.

Nos. 1, 63, *64, *159, 313, 347, 393, *435, *508, 527, 538, 578, 624, 807, 830, 906, 914, 1261, 1299, 1300.

HUNT, JACK

Nos. 1, 56, *101, 188, *274, 347, 466, 533, 546, 642, *667, *673, 731, *748, 866, 897, 914, 1016, 1174, *1182, 1261, *1312.

HUNT, JUDY

Nos. *121, 260, 312, 313, 314, 315, 327, 347, 448, 449, 506, 531, 546, 563, 564, *574, 654, 774, *775, 808, 879, 914, *924, 930, 938, 956, *981, 999, *1068, 1154, 1163, 1174, 1182, 1184, 1186, *1190, 1260, 1261.

HUNT, SAMUEL R., III

Nos. 1, 39, *176, 187, 198, *213, 268, 311, 347, 436, *515, *516, *581, 591, 678, 866, 914, 921, *1009, 1062, 1084, 1183, 1239, 1240, 1292, 1296, 1301, 1303, 1309.

HUNTER, HOWARD J., JR.

Nos. 1, *17, *18, 70, 90, 91, 92, 93, 104, 105, 106, 122, 176, 187, 198, 205, *207, *208, 260, *272, 347, 361, 365, 371, 381, 399, 400, 415, 476, 486, 488, 491, 492, 493, 494, 495, 496, 497, 506, 513, 517, 519, 531, 546, 549, 551, 555, 563, 564, *576, *578, 589, 595, 605, *618, *619, 654, 656, 709, 741, 787, 866, 872, 873, 879, 885, 893, 894, 900, 908, 910, 914, 921, 924, 936, 938, 947, 953, 957, 958, 959, 986, 990, 995, 1006, 1013, 1014, 1021, 1022, 1034, 1037, *1038, 1084, 1093, 1094, 1095, 1096, 1097, 1098, 1109, *1113, *1114, *1115, 1121, 1122, 1137, *1173, 1183, 1184, 1204, 1206, 1210, 1222, 1223, 1227, 1236, *1237, 1260, 1261, 1264, 1266, 1270, 1271, 1272, 1280.

HUNTER, ROBERT C.

Nos. 1, 5, 56, 65, 111, 188, 195, 196, *296, 300, 312, 314, 315, 347, 370, 371, 393, *450, *534, *535, 589, 654, *708, 714, 715, *753, 787, *865, *868, *898, 914, 1039, 1058, 1174, 1182, 1184, 1210, *1234, 1246, 1261.

HURLEY, JOHN WILLIAM

Nos. *1, 64, 70, 75, 89, *94, 95, 145, *160, *178, 188, 189, 198, 215, 234, *256, 260, 300, 301, *306, 311, 312, 313, 314, 315, 318, 320, 324, 342, 347, 361, 399, 416, 436, 458, *501, *502, 546, 575, 581, 590, 621, 693, *699, *700, 709, 745, 761, 787, 830, 866, 870, 879, 912, 914, 919, 923, *932, 936, 938, 994, 1110, 1137, *1155, 1166, 1182, 1183, *1216, *1217, *1221, 1296, 1302.

ISENHOWER, W. STINE

Nos. 1, 46, 63, 189, 195, 196, 234, 259, 286, 287, 311, 393, *402, *403, 497, 498, 499, 526, *531, *532, *533, 546, 615, 624, 709, 741, 787, *806, *807, 830, 866, 906, 914, 933, 1041, 1155, 1260, *1299, *1300.

JAMES, VERNON G.

Nos. 1, 70, 71, 72, 73, 74, 75, *84, *85, *86, 145, *167, *169, *170, 181, *193, *194, *202, 223, 225, *226, 259, 260, 312, 313, 314, 315, *335, *336, *337, *338, *339, *340, *341, 347, 415, 464, 466, 521, 550, *553, *554, 564, 584, 598, *633, 652, 656, 709, *729, *730, *731, *732, *856, *857, 866, 914, 938, 1022, 1084, *1167, *1168, 1174, 1182, 1183, 1260, 1261, *1289.

JARRELL, MARY L.

Nos. 1, 66, *76, 188, 216, 227, 240, *244, 347, 573, 590, *609, 637, 709, 741, 762, 787, 866, 879, 914, 930, 1024, 1143, *1218, 1239, 1261, 1307.

JEFFUS, MARGARET M.

Nos. 1, 66, 70, 71, 72, 73, 74, 75, 76, 188, 216, 227, 240, 244, 306, 312, 313, 314, 315, 320, *333, 347, 361, 399, 416, 436, 480, 556, 566, 573, 581, 589, 609, 637, 718, 719, 741, 762, 866, 879, 914, 930, 938, 956, 1013, 1057, 1159, 1218, *1238, *1239, 1260, 1261, 1307.

JERALDS, LUTHER, JR.

Nos. 1, 5, 90, 91, 92, 93, 95, 114, *168, 178, 188, 189, 205, 215, *218, *219, *220, 256, 260, 306, 313, 314, 315, 347, *361, 416, 458, 497, 498, 499, 501, 502, 526, 531, 564, 654, 656, *671, *672, 699, 709, *864, 879, 914, 919, 923, 932, 938, *956, 1013, 1022, 1037, 1062, *1077, *1078, *1079, *1080, *1081, 1084, *1111, 1137, *1152, 1173, *1176, 1183, 1184, *1214, *1215, 1216, 1223, 1251, 1260, 1261, *1280, *1281, 1292, 1302.

JONES, WALTER B., JR.

Nos. 1, *25, 26, 49, 56, 57, *89, *113, 145, 189, *192, 205, *209, 260, *276, *295, 306, 312, 313, 314, 315, *325, 347, 517, 532, 533, 546, 590, *626, 654, 656, *664, *694, 709, *728, *787, 791, 792, 830, *837, *861, *887, 914, 921, 923, 932, 934, 936, 938, 956, *1003, 1013, 1016, 1022, 1033, 1037, 1084, 1132, 1183, 1184, 1185, 1251, 1260, 1261, 1296.

JORDAN, LARRY M.

- Nos. 1, 26, 89, 175, 245, 306, 312, 313, 314, 315, 320, 334, 347, *370, *371, 466, 550, 552, 563, *600, 635, 692, 709, 725, 787, 866, 914, 994, 1137, 1183, 1184, 1260, 1261, 1313.

JUSTUS, LARRY T.

- Nos. 1, 14, 17, 18, 58, 145, 158, 160, 163, 188, 195, 196, 198, 208, 210, 217, 222, 249, 259, *273, 307, 323, *349, 361, 415, 416, 435, *436, *463, *526, *527, 531, 538, 552, 567, 568, 612, 613, 615, 656, 709, 741, 749, 787, *802, 843, 847, 859, 866, 867, *870, 914, 921, 931, 932, 934, *936, 947, 968, 969, 974, 975, 980, 987, *998, 999, 1001, 1009, 1013, 1014, 1040, 1044, *1123, *1158, 1187, 1230, 1261, 1291, 1293.

KAHL, JOHN WAYNE

- Nos. 1, 187, 208, 210, 259, *320, 347, 580, 581, 589, 590, 625, *656, 709, 914, 921, 995, 1084, 1095, 1096, 1097, 1120, 1137, 1173, 1183, 1227, *1228, *1229, 1261.

KENNEDY, ANNIE BROWN

- Nos. 1, 5, 50, 51, 68, 156, 188, 211, 296, 312, 313, 314, 315, 347, 399, 416, *417, *418, *419, *420, *421, 456, 488, *555, 563, 564, 654, 741, *776, 914, *929, *930, 956, 1057, 1080, 1108, 1137, 1138, 1173, 1183, 1187, 1204, 1223, 1239, 1261, 1292.

KERR, JOHN H., III

- Nos. 1, *20, 26, 29, 50, 51, *70, 213, *249, 266, 311, 312, 313, 314, 320, 347, *507, 517, 523, 709, *724, *725, *726, 741, 787, 866, 870, *902, *903, *904, 914, 921, 932, 936, 999, *1017, *1018, *1039, *1074, *1139, *1140, 1261, *1293, 1294, 1296, 1305.

KIMSEY, MARTY E.

- Nos. 1, 14, 27, 28, 29, 30, 31, 65, 117, 118, 189, *257, 286, 287, 349, *405, 436, 526, 546, *552, 654, 656, *661, 709, 830, 842, 914, 921, *931, 936, 1040, 1041, 1127, 1204.

LEWIS, WILLIAM W.

- Nos. 1, 31, 71, 163, 259, 531, 532, 533, 741, 914, 1016, 1184, 1211, 1261.

LIGON, BRADFORD V.

- Nos. 1, 22, 27, 28, 29, 30, 31, 33, 34, 35, 36, 37, 38, 41, 70, 125, 133, 134, 135, 136, 137, 146, 175, 189, *195, *196, 259, 349, 436, 508, 526, 531, 532, 533, 538, 546, *567, *568, 590, *639, 691, 709, 830, *842, 866, 870, 914, 921, 931, 933, 936, 998, 1040, 1041, 1123, 1127, 1142, *1145, 1155, 1158, 1261.

LILLEY, DANIEL T.

Nos. 1, *7, *8, *9, *10, *11, *12, *13, *23, *24, 25, 56, 57, *61, 70, *79, 145, 166, 188, *266, 275, 277, 301, 307, 311, 312, 313, 314, 315, 342, 347, *386, 414, 531, 546, 550, 566, 581, *583, 709, 866, 876, 881, *889, 899, 914, *1047, 1062, *1146, 1174, 1182, 1183, 1185, 1197, 1237, 1261, 1271, 1294, 1296.

LINEBERRY, ALBERT S., SR.

Nos. 1, 5, 22, 25, *33, 34, 35, 36, 37, 38, 41, *56, 65, 66, *67, 76, *80, *81, 145, 181, 187, 188, 189, 201, *216, *227, 240, 244, 312, 313, 314, 315, 347, 460, 573, 609, 654, 709, *718, *719, 741, 761, 762, 787, 830, 866, 870, 876, 881, 909, 914, 923, *992, 1062, *1133, 1162, 1296, *1297, 1307.

LOFLIN, H. CLAYTON

Nos. 1, 2, 3, 50, 51, 70, 89, 155, *197, 198, 213, 233, 286, 287, *321, 342, 359, 436, *451, 467, 546, 552, 564, 581, *641, 709, *750, *751, *752, 800, 914, 931, 954, *966, 1016, 1037, *1061, 1127, 1165, 1174, 1261, 1305, 1314.

LUEBKE, PAUL

Nos. 1, 5, 32, 70, 72, 73, 74, 75, 80, 89, 90, 91, 92, 104, 105, 106, 108, 114, 145, 168, 175, 182, 187, 205, 209, 213, 237, 312, 313, 314, 315, 345, 347, *399, 426, 448, 449, 474, 506, 581, 589, 605, 615, 654, *687, 693, *746, 754, *763, *764, *765, 787, 827, 828, 879, *885, *886, 914, 921, 923, 930, 943, 956, 960, 961, 962, 984, 995, 1007, 1008, 1013, *1019, *1020, *1021, 1022, *1023, 1037, *1054, *1055, *1056, *1057, *1058, 1077, 1084, 1095, 1106, *1108, 1120, 1122, 1137, 1143, *1154, 1183, 1184, 1204, *1206, 1227, 1249, 1251, *1257, *1258, 1260, 1261, *1262, *1269, *1270, *1283, *1284, *1285.

LUTZ, EDITH L.

Nos. 1, *164, 165, 182, 188, 306, 312, 313, 314, 315, 347, 414, 526, 533, 550, 564, *617, 656, 667, *707, 709, 866, 914, 1153, 1174, 1182, 1184, 1261.

MAVRETIC, JOSEPHUS L.

Nos. 1, *6, *49, 56, *65, 70, 102, 103, 104, 105, 106, *131, 175, 198, 347, *570, *662, *663, 679, 709, *727, 830, *890, *891, *892, 914, *993, 1039, *1091, 1113, 1174, *1224, *1225, 1260, 1261, *1279.

MCALLISTER, MARY E.

Nos. 1, 95, 114, 160, 178, 188, 189, 215, 250, 251, 252, 253, 254, 255, 256, 260, 268, 306, 312, 313, 314, 315, 347, *458, 501, 502, 654, 687, 693, 699, 879, 914, 919, 923, 930, 932, 938, 995, 1007, *1084, 1110, *1137, 1173, 1183, 1184, 1216, 1223, 1260, 1261, 1280, 1292, 1302.

MCGEE, EDWARD L.

Nos. 341, 914, 1120, 1183, *1195, *1196, *1205, 1261.

MCLAUGHLIN, JOHN B.

- Nos. 1, 176, *235, 247, 268, *269, *270, 271, 290, 291, 292, 293, 294, 343, 347, 466, *560, 563, 654, 656, *679, 709, 830, *909, 914, 932, *954, 1008, 1062, 1122, *1161, *1162, 1171, 1172, 1174, 1184, 1260, 1261.

MCLAWHORN, CHARLES

- Nos. 1, 26, 49, 56, 70, 113, 175, 201, 205, 259, 260, 306, 312, 313, 314, 315, 320, 341, 347, 399, 436, 466, 474, 476, 520, 526, 546, 550, 581, 626, 692, 709, 725, 728, *791, *792, 866, 867, 870, 879, 910, 914, 931, 938, 999, 1082, 1113, 1123, *1132, 1174, 1183, 1261.

MERCER, LEO

- Nos. 1, *16, 26, 27, 28, 29, 30, 31, 32, 33, 42, 43, 57, 58, 59, 62, 69, 70, 71, 72, 73, 74, 75, *78, 92, *98, 121, 145, 148, 149, 150, 151, 152, 163, 168, 175, 187, 188, *199, *200, *245, 256, 260, 279, 296, *300, 306, *307, 311, 312, 313, 314, 315, 320, 347, 361, 380, 390, *394, 397, 398, *400, 414, 436, 464, 466, 467, 468, 531, 546, 553, 575, 581, 612, *623, *648, 709, 741, 867, 870, 871, 914, 921, 931, 932, 938, *951, 1024, 1095, 1096, 1097, 1123, 1127, *1129, 1137, *1144, 1174, 1183, 1184, 1261.

MICHAUX, H. M., JR.

- Nos. 1, 5, 89, *102, *103, *104, *105, *106, 133, 134, 135, 136, 137, 146, 147, *246, 347, 399, *453, *454, *455, *456, 563, 564, *621, 654, *720, *721, *722, *723, 741, 746, 914, 918, 956, 995, 1023, 1037, 1080, 1084, 1095, 1137, 1173, 1183, 1184, 1223, 1251, 1261, 1292.

MILLER, GEORGE W., JR.

- Nos. 5, 141, 142, 143, 175, 347, 399, *407, *408, *460, *461, *462, *546, *547, *548, *636, 654, 746, *824, *825, 826, *882, *883, *884, *911, 914, 934, 937, *939, *940, *941, 947, 1009, 1053, *1067, *1087, *1088, *1128, *1130, 1182, 1184, 1250, *1252, *1253, *1254, *1255, *1256, 1261, *1274, *1275, *1282, 1296.

MORGAN, RICHARD T.

- Nos. 1, 14, 94, *129, 158, 160, 162, 198, 286, 287, 349, *457, 466, *577, *588, 615, 709, 741, *809, *810, 830, 866, 914, *988, *989, 1081, 1110, 1127, 1158, 1261, 1296.

NESBITT, MARTIN

- Nos. 1, 5, *83, 139, 140, 141, 142, 143, 144, 145, 188, 203, 204, *205, 269, 300, *312, *313, *314, *315, 347, 365, 366, 367, 368, 380, 389, 414, 448, 449, *488, *489, *490, *491, *492, *493, *494, *495, *496, 638, 709, 735, *744, *745, 866, 914, 923, 1013, 1014, *1053, 1095, 1096, 1097, 1148, 1149, 1154, 1173, 1174, 1175, 1182, 1183, 1184, 1187, 1211, 1212, *1222, *1245, 1247, 1250, 1260, 1261, 1291.

NYE, EDD

Nos. 1, 4, 109, 110, 188, 205, 414, 415, 416, 546, 612, *803, *804, *805, *858, *859, *860, 914, *996, *997, 1062, *1092, 1174, 1182, 1183, 1187, *1191, *1192, *1193, *1194, 1251, 1261, *1265.

OLDHAM, WARREN CLAUDE

Nos. 1, 68, 102, 103, 108, 109, 110, 156, 205, *211, 312, 313, 314, 315, 347, 399, 452, 488, 555, 564, 590, 654, 709, 741, 776, 871, 879, 912, 914, 930, 938, 956, 1009, 1013, 1037, 1051, 1052, 1077, 1079, 1081, 1084, 1122, 1137, 1173, 1183, 1204, 1223, 1239, 1261, 1292, 1296.

PAYNE, HARRY E., JR.

Nos. 1, 89, 115, *124, *125, *126, *127, *128, 145, 187, 188, 205, 312, 313, 314, 315, 347, 448, 449, 466, *474, *475, *476, *477, *478, *479, 480, *520, *536, 612, 654, 682, 683, 709, 737, 738, *767, *768, *769, *770, *771, 772, 787, 830, 912, 938, *984, *985, *986, 1008, 1013, 1025, *1026, *1027, *1028, *1029, *1031, *1103, *1104, *1105, *1106, *1107, 1183, 1184, 1227, 1250, 1251, 1261, *1263, *1264.

POPE, JAMES ARTHUR

Nos. 1, 3, *14, 35, 36, 38, 50, 51, 80, 89, 100, *198, 286, 287, 311, *342, *391, *473, 538, 539, 709, 830, 866, 870, 882, 883, 914, 931, *934, 994, 1116, 1117, 1118, 1119, 1126, *1241, 1261, 1305, 1313.

PRIVETTE, COY C.

Nos. 1, 2, 3, 22, 33, 34, 35, 36, 37, 38, 41, 70, 89, 90, 91, 92, 93, 94, 98, 158, 159, 160, 164, 165, 168, 182, 188, 189, 195, 196, 213, 287, 304, 306, 307, 311, 313, 314, 320, 323, 325, 347, 349, 361, *404, 409, 410, 411, 412, 413, 414, 442, 451, 457, 466, *470, *471, *472, 486, 526, 527, 529, 531, 538, 541, 551, 552, 567, 568, 581, 590, *613, 615, *640, 656, 679, *698, 709, 733, 741, *749, 787, 800, *827, 830, *863, 866, 876, 881, 914, 921, 923, 931, 933, 954, 1040, 1041, *1089, *1090, 1123, *1124, 1127, *1165, 1173, 1174, 1204, *1314.

RAMSEY, LISTON B.

Nos. 1, 5, 145, 188, 229, 312, 313, 314, 315, 347, 466, 546, 563, *689, *811, 914, 938, 1022, 1154, 1174, 1182, 1187, 1260, 1261, 1291.

REDWINE, E. DAVID

Nos. 1, *15, 19, 20, 56, 70, 115, 116, 163, 187, *206, 213, 272, *277, *278, *279, 296, 306, 312, 313, 314, 315, 320, 333, 347, *414, *415, 490, 496, 531, *561, 581, *585, *586, *587, *608, 615, 621, *630, *631, *632, 656, *668, 709, *739, *778, *779, *780, *781, *819, *848, *849, *850, *851, 914, *960, *961, *962, *963, *964, *965, *1004, 1008, 1022, 1084, *1093, *1094,

1109, 1130, *1177, *1178, 1182, 1183, 1184, *1235,
1251, 1260, 1261, *1267, *1287, 1296.

RHODES, FRANK E.

Nos. 1, 5, 14, 20, *21, *50, *51, *68, 156, 163, 211, 280, 347,
349, 436, 447, 466, 709, 787, 866, 870, 914, *921, 932,
936, 954, 998, 1123, 1173, 1239, 1261.

RHYNE, JOHNATHAN

Nos. 1, *2, *3, 145, *162, 185, *190, 198, *280, *286, *287,
*288, *289, 302, *303, *304, 308, *352, *369, *447,
*469, 538, *695, 709, 741, 787, 830, 866, 914, 921,
*948, *949, *950, 994, 998, 1016, *1048, *1071, *1072,
*1102, 1184, 1203, *1213, 1261.

ROBINSON, GEORGE S.

Nos. 1, 48, 63, 65, *120, 176, 180, *236, 312, 313, 314, 315,
342, 362, 364, *375, *376, 393, *437, *438, *439, 526,
546, 611, 624, 654, *709, 830, 906, 1009, *1064, *1075,
1198, 1199, 1210, 1243, 1251, 1261, 1296.

ROGERS, EUGENE

Nos. 1, 52, 53, 54, 55, 113, 123, 145, 155, 250, 251, 252, 253,
254, 255, 259, *260, 306, 312, 313, 314, 315, 347, 414,
415, *459, 466, 492, 493, 495, 531, *550, 564, 581,
*607, *610, 626, 656, *688, 694, 709, 728, 741, 787,
791, 866, 914, 932, *938, 968, 1132, 1182, 1183, 1184,
*1186, *1236, 1250, 1251, 1260, 1261.

RUSSELL, CAROLYN B.

Nos. 1, 3, 69, 73, 89, 145, 158, 160, 198, 201, 217, 259, 268,
306, 312, 313, 314, 315, *332, 342, 347, 349, *372,
*373, 436, *440, 500, 526, 527, 531, 532, 533, *540,
546, 550, 581, 639, 656, 725, 741, 749, 842, 866, 867,
870, 914, 921, 933, 949, 969, 999, 1003, 1033, 1139,
1140, 1174, 1261, 1294.

SMITH, RONALD L.

Nos. 1, 26, 70, 115, 139, 140, 141, 142, 143, 144, 145, 163,
201, 259, 296, 300, 306, 307, 312, 313, 314, 361, 364,
371, 385, 394, 399, 400, 401, 406, 466, 537, 546, 552,
570, 581, *593, 659, 660, 692, 714, 715, 725, 740, 741,
743, 746, *754, *755, 787, 817, 818, 865, 866, 867, 870,
879, 882, 883, 884, 888, 903, 914, 931, 936, 947, 1017,
1033, 1034, 1036, 1037, 1039, 1051, 1052, 1060, 1095,
1096, 1097, 1123, 1156, 1166, 1183, 1184, 1197, 1204,
1292, 1294.

STAMEY, PEGGY

Nos. 1, 5, 80, 87, 89, 108, 109, 110, 145, 168, 175, 188, 203,
204, 205, 237, *281, *282, *283, 296, 306, 312, 313,
314, 315, 318, 320, 347, 416, 435, 449, 456, 466, 477,
*521, *537, 546, 549, 564, 589, 600, 635, 654, 687, 693,
*703, *704, *705, *706, *734, 745, 777, 787, *866, 913,
914, 930, 943, 947, 956, 994, 1008, 1013, *1024, *1025,

1060, 1062, 1086, 1100, 1105, 1120, 1143, 1154, 1155,
1182, 1184, 1186, *1207, 1227, *1242, 1248, 1249,
1258, 1261, *1286, 1313.

STEWART, C. P.

Nos. 1, 26, 56, 168, 188, *221, 256, 300, 306, 312, 313, 314,
315, 347, 349, 436, 466, *545, 546, 564, 656, 741, *756,
*757, *758, *759, *760, *854, 870, 914, 921, 932, 936,
938, 1154, 1183, 1210, 1261.

TALLENT, TIMOTHY

Nos. 1, 233, 234, 402, 466, *733, 800, 866, 873, 914, 1165,
1261, 1314.

THOMPSON, R. M., JR.

Nos. 1, 84, 85, 86, 122, 167, 169, 193, 194, 201, 202, *223,
*225, 260, 312, 313, 314, 315, 335, 336, 337, 338, 339,
340, 347, *464, *465, *466, 550, 553, 564, 570, *584,
*596, *597, *598, *649, *650, *651, *652, 656, 709,
714, 741, 746, 787, *831, 870, 909, 914, 921, 936, 938,
1174, 1182, 1183, 1184, 1186, *1203, 1260, 1261.

WAINWRIGHT, WILLIAM L.

Nos. 1, 166, 188, 260, 266, 275, 293, 312, 313, 314, 315, 320,
347, 399, 452, 458, 466, 497, 498, 499, *519, 546, 555,
563, 583, 590, 654, 656, 714, 715, 741, 746, 787, 876,
879, 881, 889, 914, *917, 930, 938, *995, 999, 1022,
1039, 1051, 1052, 1084, 1095, 1096, 1097, 1137, 1147,
1173, 1174, *1183, 1184, *1197, 1204, 1223, 1239,
1251, 1261, *1271, 1292, 1294.

WARNER, ALEX

Nos. 1, 2, 5, 7, 11, 18, *19, 25, *27, *28, *29, *30, *31, 33,
34, 35, 36, 37, 38, 41, 70, 71, 72, 73, 74, 75, 89, 90, 91,
92, 93, 94, 95, 98, 99, 105, *107, 108, 114, 160, 178,
188, *189, 209, 210, 212, 213, 215, 256, 260, 300, 301,
311, 342, 347, 349, 361, 380, 383, 384, 394, 399, 414,
436, 458, 501, 552, 581, 588, 589, 590, 612, 644, 645,
656, 671, 672, 679, 687, 692, *693, 699, 700, 732, 741,
744, 745, 746, 787, 818, 843, 847, 851, 852, 853, 858,
861, 862, 863, 864, 866, 879, 882, 887, 893, 899, 900,
902, 903, 908, 914, 915, 916, 919, *923, 932, 936, 938,
994, 1013, *1059, 1077, 1078, 1081, 1082, 1084, 1095,
1096, 1097, 1104, *1110, 1122, 1123, 1125, 1129, 1137,
1155, *1166, 1183, 1186, 1211, 1216, 1250, 1251, 1261,
1296, *1302.

WICKER, DENNIS A.

Nos. 1, 89, 102, 103, *171, 188, 221, 277, 312, 313, 314, 315,
347, 414, *442, *443, 656, 709, 746, 787, *843, *844,
854, 866, 914, *935, 938, 1009, 1037, 1137, *1179,
*1180, 1183, 1184, 1250, 1251, 1260, 1261, *1266.

WILMOTH, WADE F.

Nos. 1, 260, 312, 313, 314, 315, 327, 347, 574, 685, 686, 709,
*774, 775, *808, 914, 938, 967, 1037, 1154, 1163, 1184,
1186, 1260, 1261.

WILSON, PEGGY

Nos. 1, 3, 14, 27, 28, 29, 30, 31, 39, 122, 125, 160, 195, 196, 198, 250, 252, 253, 254, 255, 259, 311, 312, 313, 314, 315, 347, 349, 402, 436, 457, 466, 500, 508, 526, 527, 532, 533, 538, 540, 546, 550, 567, 568, *591, 639, *655, 678, 679, 709, *741, 749, 787, *832, 866, 867, 870, 914, 921, 936, 947, 949, 1003, 1037, 1040, 1099, *1125, 1127, 1261, 1293.

WITHROW, WILLIAM H.

Nos. 1, 89, 188, 347, 399, 605, 617, *642, 687, 693, 697, 707, 709, 787, 914, 956, 1120, 1137, 1143, 1173, *1219, *1220, 1249, 1257, 1258, 1260, 1261, *1288.

WOOD, STEPHEN W.

Nos. 1, 3, 17, 18, 50, 51, 58, 64, 66, 69, 70, 76, 89, 98, 100, 122, 129, 131, 198, 216, 227, 240, 280, 306, 307, 312, 313, 314, 315, 317, 320, 349, 398, 466, 538, *575, *615, *616, 709, 741, 762, 787, 914, 921, *937, 1166, 1261.

WOODARD, BARNEY P.

Nos. 1, 22, 26, 27, 28, 29, 30, 31, 33, 34, 35, 36, 37, 38, 41, 89, 90, 168, 188, 258, 259, 260, 312, 313, 314, 315, *353, *354, 497, 498, 499, 533, 546, 581, 656, *692, *853, 866, 870, 914, 938, 994, *1010, 1013, 1051, 1052, *1070, 1123, 1183, *1189, 1261, 1262.

1991 HOUSE OF REPRESENTATIVES COMMITTEE ASSIGNMENTS BY MEMBER

ABERNETHY, J. VERNON

Economic Expansion – Subcommittee on Labor Relations and Employment, Vice Chairman; Finance – Subcommittee on State Revenue; Local and Regional Government II; State Government – Subcommittee on State Parks, Facilities and Property; Transportation – Subcommittee on Airports, Railways and Waterways, Vice Chairman.

ALBERTSON, CHARLES W.

Agriculture – Subcommittee on Crops and Animal Husbandry, Chairman; Appropriations – Subcommittee on Transportation; Economic Expansion – Subcommittee on Small Business, Vice Chairman; Education – Subcommittee on Community Colleges; Legislative and Local Redistricting; State Government – Subcommittee on Military, Veterans and Indian Affairs.

ANDERSON, GERALD L.

Agriculture – Subcommittee on Forestry, Horticulture and Wildlife; Appropriations – Subcommittee on Justice and Public Safety, Co-Chairman; Commerce – Subcommittee on Insurance; Public Utilities; State Government – Subcommittee on State Parks, Facilities and Property.

BALMER, DAVID G.

Appropriations – Subcommittee on Education; Economic Expansion – Subcommittee on Small Business; Judiciary II; Public Utilities; Science and Technology, Vice Chairman.

BARBEE, BOBBY H.

Appropriations – Subcommittee on Transportation; Commerce – Subcommittee on Insurance; Local and Regional Government II; Pensions and Retirement; Rules, Appointments and Calendar; Transportation – Subcommittee on Highways, Vice Chairman.

BARNES, ANNE C.

Appropriations – Subcommittee on Justice and Public Safety; Congressional Redistricting; Courts, Justice, Constitutional Amendments and Referenda, Vice Chairman; Education, Chairman; Judiciary I, Vice Chairman; Rules, Appointments and Calendar.

BARNHILL, HOWARD C.

Appropriations – Subcommittee on Human Resources; Congressional Redistricting; Economic Expansion – Subcommittee on Small Business; Education – Subcommittee on University Education and Affairs, Vice Chairman; Human Resources – Subcommittee on Health and Mental Health, Chairman; Public Employees.

BEALL, CHARLES M.

Agriculture – Subcommittee on Forestry, Horticulture and Wildlife, Chairman; Economic Expansion – Subcommittee on Labor Relations and Employment; Finance – Subcommittee on Local and Regional Government Revenue; Public Utilities; State Government – Subcommittee on Military, Veterans and Indian Affairs, Vice Chairman.

BEARD, R. DONALD

Appropriations – Subcommittee on General Government; Commerce – Subcommittee on Insurance, Chairman; Human Resources – Subcommittee on Health and Mental Health; Judiciary II, Local and Regional Government I.

BLACK, JAMES B.

Appropriations – Subcommittee on Education; Commerce – Subcommittee on Financial Institutions, Vice Chairman; Education – Subcommittee on Community Colleges, Chairman; Judiciary II, Vice Chairman; Legislative and Local Redistricting; Local and Regional Government I.

BOWEN, EDWARD C.

Agriculture – Subcommittee on Forestry, Horticulture and Wildlife; Congressional Redistricting, Co-Chairman; Environment – Subcommittee on Solid Waste; Finance – Subcommittee on Local and Regional Government Revenue, Vice Chairman; Legislative and Local Redistricting, Co-Chairman; Transportation – Subcommittee on Highways.

BOWIE, JOANNE W.

Appropriations – Subcommittee on Transportation; Commerce – Subcommittee on Housing; Human Resources – Subcommittee on Children, Youth and Families, Vice Chairman; Judiciary I; Transportation – Subcommittee on Public Transportation, Vice Chairman.

BOWMAN, J. FRED

Appropriations – Subcommittee on General Government, Co-Chairman; Economic Expansion – Subcommittee on Labor Relations and Employment, Vice Chairman; Education – Subcommittee on Pre-School, Elementary and Secondary Education; Human Resources – Subcommittee on Aging; Transportation – Subcommittee on Highways.

BRAWLEY, C. ROBERT

Agriculture – Subcommittee on Aquaculture and Marine Fisheries; Commerce – Subcommittee on Insurance, Vice Chairman; Finance – Subcommittee on State Revenue, Vice Chairman; Legislative and Local Redistricting; Pensions and Retirement; Rules, Appointments and Calendar.

BROWN, JOHN W.

Agriculture – Subcommittee on Forestry, Horticulture and Wildlife, Vice Chairman; Congressional Redistricting; Environment – Subcommittee on Water, Air and Soil; Finance – Subcommittee on State Revenue; State Government – Subcommittee on Military, Veterans and Indian Affairs.

BRUBAKER, HAROLD J.

Agriculture – Subcommittee on Crops and Animal Husbandry; Appropriations – Subcommittee on Justice and Public Safety; Commerce – Subcommittee on Financial Institutions, Vice Chairman; Human Resources – Subcommittee on Health and Mental Health; Legislative and Local Redistricting, Vice Chairman.

BUCHANAN, CHARLES F.

Agriculture – Subcommittee on Crops and Animal Husbandry; Congressional Redistricting; Finance – Subcommittee on State Revenue; Local and Regional Government II; State Government – Subcommittee on Military, Veterans and Indian Affairs, Vice Chairman; Transportation – Subcommittee on Highways.

CHAPIN, HOWARD B.

Agriculture – Subcommittee on Aquaculture and Marine Fisheries, Chairman; Appropriations – Subcommittee on Education; Economic Expansion – Subcommittee on Travel, Tourism and Economic Development; Public Employees; State Government – Subcommittee on State Parks, Facilities and Property.

CHURCH, JOHN T.

Agriculture – Subcommittee on Forestry, Horticulture and Wildlife; Appropriations – Subcommittee on Transportation; Environment – Subcommittee on Hazardous Waste; Judiciary III; Transportation – Subcommittee on Highways, Chairman.

COLTON, MARIE W.

Environment – Subcommittee on Water, Air and Soil; Ethics, Chairman; Finance – Subcommittee on Ways and Means; Human Resources – Subcommittee on Children, Youth and Families; Rules, Appointments and Calendar, Vice Chairman; Transportation – Subcommittee on Public Transportation.

CRAWFORD, J. W.

Appropriations – Subcommittee on Justice and Public Safety; Environment – Subcommittee on Water, Air and Soil, Chairman; Human Resources – Subcommittee on Health and Mental Health; State Government – Subcommittee on State Parks, Facilities and Property; Transportation – Subcommittee on Airports, Railways and Waterways.

CRAWFORD, N. J.

Appropriations – Subcommittee on General Government, Co-Chairman; Congressional Redistricting; Economic Expansion – Subcommittee on Small Business; Human Resources – Subcommittee on Aging; State Government – Subcommittee on State Parks, Facilities and Property, Vice Chairman.

CREECH, BILLY J.

Agriculture – Subcommittee on Forestry, Horticulture and Wildlife; Appropriations – Subcommittee on Transportation; Courts, Justice, Constitutional Amendments and Referenda; Environment – Subcommittee on Hazardous Waste; Transportation – Subcommittee on Highways.

CULP, ARLIE F.

Agriculture – Subcommittee on Forestry, Horticulture and Wildlife; Appropriations – Subcommittee on Environment, Health and Natural Resources; Environment – Subcommittee on Water, Air and Soil, Vice Chairman; Human Resources – Subcommittee on Aging; Public Employees.

CUNNINGHAM, W. PETE

Commerce – Subcommittee on Housing, Chairman; Finance – Subcommittee on Ways and Means; Human Resources – Subcommittee on Aging; Judiciary III; Legislative and Local Redistricting; State Government – Subcommittee on Military, Veterans and Indian Affairs, Vice Chairman.

DAWKINS, DONALD M.

Congressional Redistricting; Courts, Justice, Constitutional Amendments and Referenda; Environment – Subcommittee on Hazardous Waste, Vice Chairman; Finance – Subcommittee on Ways and Means; Judiciary II, Chairman; Rules, Appointments and Calendar; Transportation – Subcommittee on Airports, Railways and Waterways, Vice Chairman.

DECKER, MICHAEL P.

Appropriations – Subcommittee on General Government; Congressional Redistricting; Courts, Justice, Constitutional Amendments and Referenda; Education – Subcommittee on Pre-School, Elementary and Secondary Education; Environment – Subcommittee on Water, Air and Soil; Local and Regional Government I.

DEVANE, DANIEL H.

Agriculture – Subcommittee on Forestry, Horticulture and Wildlife; Appropriations – Subcommittee on Environment, Health and Natural Resources; Environment, Chairman; Legislative and Local Redistricting; Pensions and Retirement; Public Utilities.

DIAL, ADOLPH L.

Agriculture – Subcommittee on Crops and Animal Husbandry; Appropriations – Subcommittee on Education; Environment – Subcommittee on Water, Air and Soil; Legislative and Local Redistricting; Public Employees.

DIAMONT, DAVID H.

Appropriations, Co-Chairman; Congressional Redistricting; Environment – Subcommittee on Solid Waste; Ethics; Judiciary I.

DICKSON, W. W.

Appropriations – Subcommittee on Justice and Public Safety; Courts, Justice, Constitutional Amendments and Referenda; Economic Expansion – Subcommittee on Small Business, Vice Chairman; Education – Subcommittee on Community Colleges; Transportation – Subcommittee on Public Transportation.

DOCKHAM, JERRY C.

Appropriations – Subcommittee on Environment, Health and Natural Resources; Commerce – Subcommittee on Insurance; Education – Subcommittee on Community Colleges; Judiciary II; Public Utilities.

EASTERLING, RUTH M.

Appropriations – Subcommittee on Human Resources, Co-Chairman; Economic Expansion – Subcommittee on Labor Relations and Employment; Human Resources – Subcommittee on Children, Youth and Families, Vice Chairman; Judiciary I; Local and Regional Government II.

ESPOSITO, THERESA H.

Appropriations – Subcommittee on Human Resources; Human Resources – Subcommittee on Health and Mental Health; Judiciary I; Local and Regional Government II; Public Employees.

ETHRIDGE, W. BRUCE

Appropriations – Subcommittee on Environment, Health and Natural Resources, Co-Chairman; Environment – Subcommittee on Water, Air and Soil, Vice Chairman; Human Resources – Subcommittee on Aging; Legislative and Local Redistricting; Rules, Appointments and Calendar; Transportation – Subcommittee on Highways.

FITCH, MILTON F., JR.

Congressional Redistricting, Co-Chairman; Courts, Justice, Constitutional Amendments and Referenda; Finance – Subcommittee on Ways and Means; Legislative and Local Redistricting, Co-Chairman; Judiciary I; Public Employees.

FLAHERTY, DAVID T., JR.

Appropriations – Subcommittee on Justice and Public Safety; Congressional Redistricting, Vice Chairman; Courts, Justice, Constitutional Amendments and Referenda, Vice Chairman; Environment – Subcommittee on Water, Air and Soil; Judiciary III; Science and Technology.

FLETCHER, RAY C.

Commerce – Subcommittee on Financial Institutions, Chairman; Ethics; Finance – Subcommittee on State Revenue; Pensions and Retirement; Public Employees.

FOSTER, JO GRAHAM

Agriculture – Subcommittee on Aquaculture and Marine Fisheries; Appropriations – Subcommittee on General Government; Economic Expansion – Subcommittee on Travel, Tourism and Economic Development, Chairman; Ethics; Human Resources – Subcommittee on Aging, Vice Chairman; State Government – Subcommittee on State Boards and Commissions.

FUSSELL, AARON E.

Agriculture – Subcommittee on Crops and Animal Husbandry; Appropriations – Subcommittee on Education, Co-Chairman; Education – Subcommittee on Pre-School, Elementary and Secondary Education, Vice Chairman; Environment – Subcommittee on Water, Air and Soil; Public Employees, Vice Chairman.

GAMBLE, JOHN R., JR.

Commerce – Subcommittee on Insurance; Education – Subcommittee on Pre-School, Elementary and Secondary Education; Finance – Subcommittee on Local and Regional Government Revenue, Chairman; Human Resources – Subcommittee on Aging; Transportation – Subcommittee on Airports, Railways and Waterways.

GARDNER, CHARLOTTE A.

Appropriations – Subcommittee on Human Resources; Congressional Redistricting; Education – Subcommittee on University Education and Affairs, Vice Chairman; Human Resources – Subcommittee on Health and Mental Health; Judiciary II, Vice Chairman; Public Employees.

GIST, HERMAN C.

Appropriations – Subcommittee on General Government; Education – Subcommittee on University Education and Affairs; Legislative and Local Redistricting; Local and Regional Government I, Chairman; State Government – Subcommittee on State Boards and Commissions, Vice Chairman; Transportation – Subcommittee on Public Transportation.

GOTTOVI, KAREN E.

Appropriations – Subcommittee on Environment, Health and Natural Resources; Congressional Redistricting, Vice Chairman; Education – Subcommittee on University Education and Affairs; Environment – Subcommittee on Water, Air and Soil; Human Resources – Subcommittee on Health and Mental Health; Local and Regional Government I.

GRADY, ROBERT

Agriculture – Subcommittee on Aquaculture and Marine Fisheries, Vice Chairman; Appropriations – Subcommittee on Justice and Public Safety; Economic Expansion – Subcommittee on Small Business; Education – Subcommittee on Community Colleges; Pensions and Retirement; State Government – Subcommittee on Military, Veterans and Indian Affairs.

GRAY, LYONS

Appropriations – Subcommittee on General Government; Commerce – Subcommittee on Housing; Education – Subcommittee on University Education and Affairs; Ethics; State Government – Subcommittee on State Boards and Commissions, Vice Chairman; Transportation – Subcommittee on Highways.

GREEN, JAMES P.

Agriculture – Subcommittee on Crops and Animal Husbandry; Appropriations – Subcommittee on Justice and Public Safety; Commerce – Subcommittee on Housing; Education – Subcommittee on Community Colleges; Human Resources – Subcommittee on Aging, Chairman; Legislative and Local Redistricting.

GREENWOOD, GORDON H.

Appropriations – Subcommittee on Human Resources; Human Resources – Subcommittee on Health and Mental Health, Vice Chairman; Pensions and Retirement, Chairman; State Government – Subcommittee on Military, Veterans and Indian Affairs; Transportation – Subcommittee on Highways.

GRIMMER, HARRY C.

Environment – Subcommittee on Solid Waste, Vice Chairman; Finance – Subcommittee on State Revenue; Judiciary III; Legislative and Local Redistricting; Transportation – Subcommittee on Public Transportation.

HACKNEY, JOE

Courts, Justice, Constitutional Amendments and Referenda; Environment – Subcommittee on Hazardous Waste; Finance, Co-Chairman; Judiciary III; Legislative and Local Redistricting, Vice Chairman; Rules, Appointments and Calendar, Vice Chairman.

HARDAWAY, THOMAS C.

Commerce, Chairman; Congressional Redistricting; Courts, Justice, Constitutional Amendments and Referenda; Finance – Subcommittee on State Revenue; Judiciary I; Rules, Appointments and Calendar.

HASTY, JOHN C.

Appropriations – Subcommittee on Transportation; Congressional Redistricting; Economic Expansion – Chairman; Local and Regional Government II; State Government – Subcommittee on Military, Veterans and Indian Affairs.

HEGE, JOE H., JR.

Appropriations – Subcommittee on Education; Commerce – Subcommittee on Financial Institutions; Education – Subcommittee on University Education and Affairs; Ethics; Legislative and Local Redistricting; Local and Regional Government I.

HENSLEY, ROBERT J., JR.

Appropriations – Subcommittee on Education; Human Resources – Subcommittee on Children, Youth and Families; Judiciary III; Legislative and Local Redistricting; Rules, Appointments and Calendar; Science and Technology.

HIGHTOWER, FOYLE, JR.

Agriculture – Subcommittee on Aquaculture and Marine Fisheries; Environment – Subcommittee on Hazardous Waste, Chairman; Finance – Subcommittee on Ways and Means; Public Utilities; State Government – Subcommittee on State Boards and Commissions.

HOLMES, GEORGE M.

Appropriations – Subcommittee on General Government; Commerce – Subcommittee on Financial Institutions; Legislative and Local Redistricting; Local and Regional Government II, Vice Chairman; Public Utilities; State Government – Subcommittee on State Parks, Facilities and Property, Vice Chairman.

HOLT, BERTHA M.

Appropriations – Subcommittee on Transportation, Co-Chairman; Courts, Justice, Constitutional Amendments and Referenda; Economic Expansion – Subcommittee on Labor Relations and Employment; Education – Subcommittee on Community Colleges; Judiciary I.

HOWARD, JULIA C.

Agriculture – Subcommittee on Aquaculture and Marine Fisheries; Commerce – Subcommittee on Housing, Vice Chairman; Finance – Subcommittee on Ways and Means; State Government – Subcommittee on State Parks, Facilities and Property; Transportation – Subcommittee on Airports, Railways and Waterways.

HUFFMAN, DORIS R.

Appropriations – Subcommittee on Education; Economic Expansion – Subcommittee on Travel, Tourism and Economic Development, Vice Chairman; Judiciary III, Vice Chairman; Legislative and Local Redistricting; Rules, Appointments and Calendar; State Government – Subcommittee on State Parks, Facilities and Property.

HUNT, JACK

Appropriations – Subcommittee on Transportation; Courts, Justice, Constitutional Amendments and Referenda; Legislative and Local Redistricting; State Government – Subcommittee on State Boards and Commissions; Rules, Appointments and Calendar, Chairman.

HUNT, JUDY FRANCES

Agriculture – Subcommittee on Forestry, Horticulture and Wildlife; Economic Expansion – Subcommittee on Travel, Tourism and Economic Development, Vice Chairman; Education – Subcommittee on Pre-School, Elementary and Secondary Education; Finance – Subcommittee on Ways and Means; Legislative and Local Redistricting; Public Utilities, Chairman.

HUNT, R. SAMUEL III

Commerce – Subcommittee on Insurance; Congressional Redistricting, Co-Chairman; Finance – Subcommittee on Ways and Means, Vice Chairman; Judiciary III, Vice Chairman; Legislative and Local Redistricting, Co-Chairman; Transportation – Subcommittee on Highways.

HUNTER, HOWARD J., JR.

Appropriations – Subcommittee on Environment, Health and Natural Resources, Co-Chairman; Commerce – Subcommittee on Housing; Congressional Redistricting; Human Resources – Subcommittee on Health and Mental Health; Transportation – Subcommittee on Highways, Vice Chairman.

HUNTER, ROBERT CARL

Commerce – Subcommittee on Financial Institutions; Courts, Justice, Constitutional Amendments and Referenda; Finance – Subcommittee on State Revenues; Judiciary III, Chairman; Rules, Appointments and Calendar.

HURLEY, JOHN W.

Ethics; Finance – Subcommittee on Local and Regional Government Revenues; Judiciary I; Local and Regional Government II; Pensions and Retirement; Transportation – Subcommittee on Public Transportation, Chairman.

ISENHOWER, W. STINE

Commerce – Subcommittee on Insurance; Ethics; Finance – Subcommittee on Local and Regional Government Revenues; Human Resources – Subcommittee on Health and Mental Health, Vice Chairman; Local and Regional Government I, Vice Chairman.

JAMES, VERNON G.

Agriculture, Chairman; Appropriations – Subcommittee on Environment, Health and Natural Resources; Commerce – Subcommittee on Housing; Local and Regional Government II; Public Utilities.

JARRELL, MARY LONG

Economic Expansion – Subcommittee on Small Business; Education – Subcommittee on Community Colleges; Finance – Subcommittee on Local and Regional Government Revenue; Local and Regional Government I, Vice Chairman; Transportation – Subcommittee on Airports, Railways and Waterways, Chairman.

JEFFUS, MARGARET MOORE

Appropriations – Subcommittee on Human Resources; Economic Expansion – Subcommittee on Travel, Tourism and Economic Development; Education – Subcommittee on Pre-School, Elementary and Secondary Education; Judiciary II; Public Employees.

JERALDS, LUTHER R.

Appropriations – Subcommittee on Human Resources; Commerce – Subcommittee on Insurance; Human Resources, Chairman; Judiciary III; Legislative and Local Redistricting, Vice Chairman; State Government – Subcommittee on Military, Veterans and Indian Affairs.

JONES, WALTER B., JR.

Appropriations – Subcommittee on Justice and Public Safety; Commerce – Subcommittee on Housing, Vice Chairman; Congressional Redistricting; Ethics; Human Resources – Subcommittee on Children, Youth and Families, Chairman; Local and Regional Government I.

JORDAN, LARRY MACK

Agriculture – Subcommittee on Crops and Animal Husbandry; Economic Expansion – Subcommittee on Small Business; Finance – Subcommittee on Ways and Means; Judiciary III; Local and Regional Government I.

JUSTUS, LARRY T.

Appropriations – Subcommittee on Human Resources; Congressional Redistricting, Vice Chairman; Courts, Justice, Constitutional Amendments and Referenda; Ethics; Judiciary I; Legislative and Local Redistricting.

KAHL, J. WAYNE

Appropriations – Subcommittee on Environment, Health and Natural Resources; Environment – Subcommittee on Hazardous Waste; Local and Regional Government II; State Government – Subcommittee on State Parks, Facilities and Property; Transportation – Subcommittee on Airports, Railways and Waterways.

KENNEDY, ANNIE BROWN

Appropriations – Subcommittee on Human Resources; Courts, Justice, Constitutional Amendments and Referenda, Vice Chairman; Economic Expansion – Subcommittee on Labor Relations and Employment, Chairman; Ethics; Judiciary I, Chairman; Legislative and Local Redistricting.

KERR, JOHN H. III

Courts, Justice, Constitutional Amendments and Referenda; Environment – Subcommittee on Water, Air and Soil; Finance – Subcommittee on State Revenues, Chairman; Judiciary III, Vice Chairman; Public Utilities, Vice Chairman.

KIMSEY, MARTY E.

Appropriations – Subcommittee on Transportation; Environment – Subcommittee on Solid Waste; Human Resources – Subcommittee on Aging; Public Employees.

LEWIS, WILLIAM W.

Courts, Justice, Constitutional Amendments and Referenda; Education – Subcommittee on Pre-School, Elementary and Secondary Education; Finance – Subcommittee on Local and Regional Government Revenue; Public Employees; Transportation – Subcommittee on Airports, Railways and Waterways.

LIGON, BRADFORD V.

Agriculture – Subcommittee on Forestry, Horticulture and Wildlife; Finance – Subcommittee on State Revenue; Human Resources – Subcommittee on Health and Mental Health; Pensions and Retirement.

LILLEY, DANIEL T.

Agriculture – Subcommittee on Crops and Animal Husbandry; Finance – Subcommittee on Ways and Means, Chairman; Local and Regional Government II; State Government – Subcommittee on Military, Veterans and Indian Affairs; Transportation – Subcommittee on Airports, Railways, and Waterways.

LINEBERRY, ALBERT S., SR.

Economic Expansion – Subcommittee on Small Business, Chairman; Ethics, Vice Chairman; Finance – Subcommittee on Ways and Means; Local and Regional Government II; Public Utilities; Transportation – Subcommittee on Highways.

LOFLIN, H. CLAYTON

Agriculture – Subcommittee on Crops and Animal Husbandry, Vice Chairman; Environment – Subcommittee on Solid Waste; Finance – Subcommittee on Ways and Means; Legislative and Local Redistricting; Transportation – Subcommittee on Airports, Railways, and Waterways.

LUEBKE, PAUL

Education – Subcommittee on University Education and Affairs; Environment – Subcommittee on Solid Waste; Finance – Subcommittee on State Revenue; Human Resources – Subcommittee on Health and Mental Health; Science and Technology; Transportation – Subcommittee on Public Transportation.

LUTZ, EDITH L.

Agriculture – Subcommittee on Forestry, Horticulture and Wildlife, Vice Chairman; Appropriations – Subcommittee on General Government; Human Resources – Subcommittee on Health and Mental Health; Local and Regional Government II, Chairman; Pensions and Retirement.

MCALLISTER, MARY E.

Appropriations – Subcommittee on Transportation; Commerce – Subcommittee on Financial Institutions; Education – Subcommittee on Pre-School, Elementary and Secondary Education; Human Resources – Subcommittee on Children, Youth, and Families; Local and Regional Government I; Rules, Appointments, and Calendar.

MCGEE, EDWARD

Appropriations – Subcommittee on Justice and Public Safety; Environment – Subcommittee on Solid Waste; Ethics; Judiciary III; Transportation – Subcommittee on Highways.

MCLAUGHLIN, JOHN B.

Appropriations – Subcommittee on Transportation, Co-Chairman; Commerce – Subcommittee on Insurance; Congressional Redistricting; Judiciary II; Local and Regional Government II, Vice Chairman; Transportation – Subcommittee on Public Transportation, Vice Chairman.

MCLAWHORN, CHARLES

Agriculture – Subcommittee on Crops and Animal Husbandry; Environment – Subcommittee on Water, Air, and Soil; Finance – Subcommittee on Local and Regional Government Revenue; Human Resources – Subcommittee on Children, Youth, and Families; Public Employees.

MAVRETIC, JOSEPHUS L.

Agriculture – Subcommittee on Aquaculture and Marine Fisheries; Environment – Subcommittee on Solid Waste, Vice Chairman; Finance – Subcommittee on State Revenue; Public Utilities; State Government, Chairman.

MERCER, LEO

Agriculture – Subcommittee on Crops and Animal Husbandry, Vice Chairman; Ethics; Finance – Subcommittee on State Revenue; Pensions and Retirement; State Government – Subcommittee on Military, Veterans, and Indian Affairs, Chairman; Transportation – Subcommittee on Airports, Railways, and Waterways.

MICHAUX, HENRY M., JR.

Appropriations – Subcommittee on Education; Congressional Redistricting, Vice Chairman; Courts, Justice, Constitutional Amendments, and Referenda, Chairman; Economic Expansion; Education – Subcommittee on Pre-School, Elementary and Secondary Education; Judiciary II; Rules, Appointments, and Calendar, Vice Chairman.

MILLER, GEORGE W., JR.

Courts, Justice, Constitutional Amendments and Referenda; Education – Subcommittee on University Education and Affairs; Environment – Subcommittee on Solid Waste; Finance, Co-Chairman; Judiciary II.

MORGAN, RICHARD T.

Economic Expansion – Subcommittee on Travel, Tourism, and Economic Development; Finance – Subcommittee on Local and Regional Government Revenue; Judiciary III; Science and Technology; State Government – Subcommittee on State Boards and Commissions.

NESBITT, MARTIN L.

Appropriations, Co-Chairman; Courts, Justice, Constitutional Amendments, and Referenda; Judiciary II; Legislative and Local Redistricting, Vice Chairman; Science and Technology.

NYE, EDD

Appropriations – Subcommittee on Human Resources, Co-Chairman; Economic Expansion – Subcommittee on Travel, Tourism and Economic Development; Education – Subcommittee on Pre-School, Elementary and Secondary Education; Pensions and Retirement, Vice Chairman; Public Employees; State Government – Subcommittee on State Boards and Commissions.

OLDHAM, WARREN CLAUDE

Appropriations – Subcommittee on Education; Commerce – Subcommittee on Insurance; Congressional Redistricting; Human Resources – Subcommittee on Aging; Public Employees.

PAYNE, HARRY E., JR.

Appropriations – Subcommittee on Education, Co-Chairman; Courts, Justice, Constitutional Amendments and Referenda; Education – Subcommittee on Pre-School, Elementary and Secondary Education, Vice Chairman; Environment – Subcommittee on Water, Air and Soil; Judiciary II; Legislative and Local Redistricting; Rules, Appointments and Calendar.

POPE, J. ARTHUR

Appropriations – Subcommittee on Education; Courts, Justice Constitutional Amendments and Referenda; Economic Expansion; Education – Subcommittee on Pre-School, Elementary and Secondary Education; Judiciary II, Vice Chairman.

PRIVETTE, COY C.

Congressional Redistricting; Environment – Subcommittee on Hazardous Waste; Finance – Subcommittee on Ways and Means; Human Resources – Subcommittee on Aging, Vice Chairman; Judiciary III; Local and Regional Government I.

RAMSEY, LISTON B.

Commerce – Subcommittee on Financial Institutions; Courts, Justice, Constitutional Amendments and Referenda; Finance – Subcommittee on Ways and Means; Legislative and Local Redistricting; Public Employees, Chairman; Public Utilities, Vice Chairman; Rules, Appointments and Calendar.

REDWINE, E. DAVID

Appropriations – Subcommittee on Justice and Public Safety, Co-Chairman; Congressional Redistricting, Vice Chairman; Environment – Subcommittee on Solid Waste; Judiciary II; Public Employees, Vice Chairman; Public Utilities.

RHODES, FRANK E.

Education – Subcommittee on Community Colleges, Vice Chairman; Environment – Subcommittee on Hazardous Waste, Vice Chairman; Finance – Subcommittee on Local and Regional Government Revenues, Vice Chairman; Legislative and Local Redistricting, Vice Chairman; State Government – Subcommittee on State Boards and Commissions; Transportation – Subcommittee on Highways.

RHYNE, JOHNATHAN L., JR.

Appropriations – Subcommittee on Education; Environment – Subcommittee on Solid Waste; Ethics; Judiciary I, Vice Chairman; Rules, Appointments and Calendar.

ROBINSON, GEORGE S.

Economic Expansion – Subcommittee on Labor Relations and Employment; Finance – Subcommittee on Ways and Means; Judiciary I; Legislative and Local Redistricting; Public Utilities; Rules, Appointments and Calendar, Vice Chairman.

ROGERS, RICHARD EUGENE

Agriculture – Subcommittee on Crops and Animal Husbandry; Appropriations – Subcommittee on Education; Education – Subcommittee on Pre-School, Elementary and Secondary Education, Chairman; Legislative and Local Redistricting; Pensions and Retirement, State Government – Subcommittee on State Boards and Commissions.

RUSSELL, CAROLYN B.

Agriculture – Subcommittee on Crops and Animal Husbandry; Appropriations – Subcommittee on Environment, Health and Natural Resources; Economic Expansion – Subcommittee on Travel, Tourism and Economic Development; Congressional Redistricting; Human Resources – Subcommittee on Children, Youth and Families; State Government – Subcommittee on State Boards and Commissions.

SMITH, RONALD L.

Agriculture – Subcommittee on Aquaculture and Marine Fisheries; Commerce – Subcommittee on Financial Institutions; Finance – Subcommittee on State Revenues; Public Utilities; State Government – Subcommittee on State Parks, Facilities and Property.

STAMEY, MARGARET

Congressional Redistricting; Finance – Subcommittee on State Revenues, Vice Chairman; Legislative and Local Redistricting; Local and Regional Government II, Vice Chairman; Rules, Appointments and Calendar, Vice Chairman; State Government – Subcommittee on State Parks, Facilities and Property; Transportation, Chairman.

STEWART, CLARENCE P.

Agriculture – Subcommittee on Crops and Animal Husbandry; Finance – Subcommittee on Local and Regional Government Revenue; Public Employees; Science and Technology; State Government – Subcommittee on State Boards and Commissions, Chairman.

TALLET, TIMOTHY N.

Economic Expansion – Subcommittee on Small Business; Ethics, Vice Chairman; Finance – Subcommittee on Ways and Means; Public Utilities, Vice Chairman; Rules, Appointments and Calendar; Science and Technology.

THOMPSON, RAYMOND M.

Agriculture – Subcommittee on Aquaculture and Marine Fisheries, Vice Chairman; Environment – Subcommittee on Solid Wastes, Chairman; Finance – Subcommittee on Local and Regional Government Revenues; Local and Regional Government I, Vice Chairman; Public Utilities; State Government – Subcommittee on State Boards and Commissions.

WAINWRIGHT, WILLIAM L.

Agriculture – Subcommittee on Forestry, Horticulture and Wildlife; Economic Expansion – Subcommittee on Travel, Tourism and Economic Development; Education – Subcommittee on Pre-School, Elementary and Secondary Education; Finance – Subcommittee on Ways and Means; Human Resources – Subcommittee on Health and Mental Health; Legislative and Local Redistricting.

WARNER, EDWARD ALEXANDER

Appropriations – Subcommittee on Education; Education – Subcommittee on University Education and Affairs, Chairman; Congressional Redistricting; Environment – Subcommittee on Water, Air and Soil; Pensions and Retirement; Science and Technology, Vice Chairman.

WICKER, DENNIS A.

Commerce – Subcommittee on Housing; Courts, Justice, Constitutional Amendments and Referenda; Ethics, Vice Chairman; Finance – Subcommittee on Ways and Means, Vice Chairman; Judiciary I, Vice Chairman; Rules, Appointments and Calendar.

WILMOTH, WADE FRANKLIN

Commerce – Subcommittee on Insurance, Vice Chairman; Education – Subcommittee on Community Colleges, Vice Chairman; Finance – Subcommittee on State Revenues; State Government – Subcommittee on State Parks, Facilities and Property, Chairman; Transportation – Subcommittee on Highways.

WILSON, PEGGY

Agriculture – Subcommittee on Crops and Animal Husbandry; Congressional Redistricting; Education – Subcommittee on Pre-School, Elementary and Secondary Education; Finance – Subcommittee on Local and Regional Government Revenue; Human Resources – Subcommittee on Children, Youth and Families; Public Employees, Vice Chairman.

WITHROW, WILLIAM H.

Environment – Subcommittee on Water, Air and Soil; Finance – Subcommittee on State Revenue; Human Resources – Subcommittee on Children, Youth and Families; Science and Technology; Transportation – Subcommittee on Public Transportation.

WOOD, STEPHEN W.

Education – Subcommittee on Pre-School, Elementary and Secondary Education, Vice Chairman; Finance – Subcommittee on Ways and Means, Vice Chairman; Legislative and Local Redistricting; Pensions and Retirement, Vice Chairman; Rules, Appointments and Calendar; State Government – Subcommittee on Military, Veterans and Indian Affairs.

WOODARD, BARNEY PAUL

Appropriations – Subcommittee on Justice and Public Safety; Human Resources – Subcommittee on Health and Mental Health; Judiciary I; Rules, Appointments and Calendar; Science and Technology, Chairman.

CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE BILL 83

PCCS-9181, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET AND EXPANSION BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES; TO MAKE APPROPRIATIONS FOR OTHER PURPOSES; TO PROVIDE FOR BUDGET REFORM; AND TO PROVIDE FOR REVENUE RECONCILIATION.

The General Assembly of North Carolina enacts:

-----INTRODUCTION

Section 1. The appropriations made in this act are for maximum amounts necessary to provide the services and accomplish the purposes described in the budget. Savings shall be effected where the total amounts appropriated are not required to perform these services and accomplish these purposes and, except as allowed by

the Executive Budget Act, or this act, the savings shall revert to the appropriate fund at the end of each fiscal year.

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler

-----TITLE OF ACT

Sec. 2. This act shall be known as "The Appropriations and Budget Revenue Act of 1991." This act contains the Current Operations Appropriations Bill, the Expansion Budget Appropriations Bill, the Capital Improvements Appropriations Bill, the Budget Reform Bill, and the Budget Revenue Bill.

TITLE I. - CURRENT OPERATIONS

PART 1.-----GENERAL FUND APPROPRIATIONS

-----CURRENT OPERATIONS/GENERAL FUND

Sec. 3. Appropriations from the General Fund of the State for the maintenance of the State departments, institutions, and agencies, and for other purposes as enumerated are made for the biennium ending June 30, 1993, according to the following schedule:

<u>Current Operations-General Fund</u>	<u>1991-92</u>	<u>1992-93</u>
General Assembly	\$ 17,938,648	\$ 21,046,954
Judicial Department	206,206,015	211,237,680
Department of the Governor		
01. Office of the Governor	5,469,301	5,518,312
02. Office of State Budget and Management	3,792,373	3,949,479
Lieutenant Governor's Office	540,195	546,884
Department of Secretary of State	4,326,650	4,051,626
Department of State Auditor	12,842,567	12,932,026
Department of State Treasurer	4,900,761	4,942,109
Department of Public Education	3,222,375,181	3,255,378,574
Department of Justice	49,523,536	49,256,518
Department of Administration		
01. Administration	47,434,529	50,504,200
02. State Controller	4,953,289	5,003,852
Department of Agriculture	38,807,702	39,005,796
Department of Labor	7,912,145	8,024,539
Department of Insurance	11,922,592	11,999,219
Department of Transportation		
01. Aeronautics	8,316,571	8,116,571
02. Aid to Railroads	128,406	100,000
Total Department of Transportation	8,444,977	8,216,571
Department of Environment, Health, and Natural Resources	170,211,080	171,781,349
Office of Administrative Hearings	1,271,644	-
Administrative Rules Review Commission	249,502	251,675
Department of Human Resources		
01. Alcohol Drug Abuse Treatment Center - Black Mountain	3,817,687	3,863,726
02. Alcohol Drug Abuse Treatment Center - Butner	3,220,345	3,265,434
03. Alcohol Drug Abuse Treatment Center - Greenville	3,252,142	3,296,129

04. N.C. Special Care Center	565,852	677,743
05. Black Mountain Center	1,616,376	2,024,711
06. DHR - Secretary	7,620,495	7,682,412
07. Division of Aging	8,497,571	8,501,722
08. Schools for the Deaf and Hard of Hearing	19,020,001	19,314,192
09. Social Services	130,231,610	137,745,264
10. Medical Assistance	522,700,569	602,390,661
11. Social Services-State Aid to Non-State Agencies	5,440,669	5,440,669
12. Division of Services for the Blind	11,932,076	12,023,790
13. Division of Mental Health, Developmental Disabilities, and Substance Abuse Services	185,283,664	186,295,870
14. Dorothea Dix Hospital	34,977,059	37,689,383
15. Broughton Hospital	28,988,562	31,007,474
16. Cherry Hospital	30,316,203	31,973,149
17. John Umstead Hospital	30,349,582	34,128,381
18. Western Carolina Center	1,363,260	1,898,909
19. O'Berry Center	1,851,826	2,343,637
20. Murdoch Center	8,350,448	8,962,036
21. Caswell Center	5,317,947	7,746,005
22. Division of Facility Services	28,239,036	29,332,929
23. Division of Vocational Rehabilitation Services	21,670,313	21,764,916
24. Division of Youth Services	45,517,929	45,844,845
Total Department of Human Resources	1,140,141,222	1,245,213,987
Department of Correction	470,590,160	489,819,693
Department of Economic and Community Development		
01. Economic and Community Development	24,280,288	24,448,292
02. Biotechnology	7,157,547	7,157,547
03. MCNC	16,525,140	16,000,000
04. Rural Economic Development Center	1,500,000	1,500,000
Department of Revenue	52,328,385	52,739,894
Department of Cultural Resources	38,719,635	39,621,588
Department of Crime Control and Public Safety	25,484,486	25,821,731
University of North Carolina - Board of Governors		
01. General Administration	13,923,182	17,152,569
02. University Institutional Program	6,188,426	6,488,426
03. Related Educational Programs	44,416,685	44,466,685
04. University of North Carolina at Chapel Hill		
a. Academic Affairs	129,483,376	140,160,037
b. Health Affairs	99,402,904	104,815,735
c. Area Health Education Centers	31,256,434	31,258,952
05. North Carolina State University at Raleigh		
a. Academic Affairs	169,101,616	174,401,151
b. Agricultural Research Service	35,427,423	35,530,678
c. Agricultural Extension Service	27,489,796	27,730,526
06. University of North Carolina at Greensboro	54,283,647	54,936,286
07. University of North Carolina at Charlotte	55,313,182	55,784,798
08. University of North Carolina at Asheville	16,562,863	16,774,319
09. University of North Carolina at Wilmington	32,300,883	32,697,186

10. East Carolina University		
a. Academic Affairs	71,884,297	72,760,031
b. Division of Health Affairs	50,741,525	52,969,402
11. North Carolina Agricultural and Technical State University	35,573,156	36,250,457
12. Western Carolina University	34,257,520	34,744,275
13. Appalachian State University	52,538,346	53,106,386
14. Pembroke State University	15,605,572	15,702,405
15. Winston-Salem State University	15,646,556	15,912,120
16. Elizabeth City State University	14,534,666	14,638,395
17. Fayetteville State University	16,685,006	16,823,862
18. North Carolina Central University	26,302,838	26,661,912
19. North Carolina School of the Arts	8,277,917	8,346,454
20. North Carolina School of Science and Mathematics	7,162,301	7,131,245
21. UNC Hospitals at Chapel Hill	37,755,275	47,092,624
Total University of North Carolina - Board of Governors	1,102,115,392	1,144,336,916
Department of Community Colleges	328,828,418	359,794,377
State Board of Elections	470,005	432,918
Contingency and Emergency	1,125,000	1,125,000
Reserve for Salary Adjustments	500,000	500,000
Reserve for Lowest Paid Employees	750,000	750,000
Reserve for Data Processing Equipment	2,500,000	2,500,000
Reserve for State Employees Health Benefit Plan	75,200,000	99,900,000
Reserve for Local Government Tax Sharing/Reimbursements	474,606,174	474,606,174
Debt Service	76,028,270	73,049,578
GRAND TOTAL CURRENT OPERATIONS - GENERAL FUND	\$7,657,972,809	\$7,922,965,058

PART 2.-----CURRENT OPERATIONS/HIGHWAY FUND

Sec. 4. Appropriations from the Highway Fund of the State for the maintenance and operation of the Department of Transportation, and for other purposes as enumerated, are made for the biennium ending June 30, 1993, according to the following schedule:

<u>Current Operations-Highway Fund</u>	<u>1991-92</u>	<u>1992-93</u>
Department of Transportation		
01. Administration	\$ 34,009,810	\$ 34,329,674
02. Division of Highways		
a. Administration and Operations	32,533,200	32,866,712
b. State Construction		
(01) Primary Construction	-	-
(02) Secondary Construction	66,121,926	66,717,023
(03) Urban Construction	10,805,664	10,028,266
(04) Access and Public Service Roads	2,000,000	2,000,000
(05) Special Appropriation for Highways	5,000	5,000
(06) Spot Safety Improvements	9,100,000	9,100,000
c. State Funds to Match Federal Highway Aid		
(01) Construction	65,992,066	65,992,066

(02) Planning Survey and Highway Planning		
Research	2,959,649	2,959,649
d. State Maintenance		
(01) Primary	85,882,433	85,882,433
(02) Secondary	151,355,630	151,355,630
(03) Urban	22,714,972	22,714,972
(04) Contract Resurfacing	100,000,000	102,500,000
e. Ferry Operations	16,547,896	16,547,896
03. Division of Motor Vehicles	74,154,792	74,649,678
04. Governor's Highway Safety Program	286,279	288,736
05. State Aid to Municipalities	66,121,926	66,717,023
06. State Aid for Public Transportation	5,038,766	5,046,001
07. Salary Adjustments for Highway Fund Employees	200,000	200,000
08. Reserve to Correct Occupational Safety and Health Conditions	425,000	425,000
09. Reserve to Continue DOT Merit Salary Increases	4,510,383	4,510,383
10. Debt Service	38,227,230	38,018,250
11. Reserve for State Employee Health Benefit Plan	6,200,000	8,200,000
Appropriations for Other State Agencies		
01. Crime Control and Public Safety	83,263,687	86,276,285
02. Other Agencies		
a. Department of Agriculture	2,892,001	2,790,013
b. Department of Revenue	1,921,279	1,923,941
c. Department of Environment, Health, and Natural Resources:		
LUST Trust Fund	5,186,720	5,586,046
Chemical Test Program	376,176	378,286
d. Department of Correction	4,591,856	4,614,056
e. Department of Justice	240,250	240,250
f. Department of Public Education	22,930,662	22,868,826

GRAND TOTAL CURRENT OPERATIONS — HIGHWAY FUND \$ 916,595,253\$ 925,732,095

PART 3.-----HIGHWAY TRUST FUND

Sec. 4.1. Appropriations from the Highway Trust Fund are made for the fiscal biennium ending June 30, 1993, according to the following schedule:

	1991-92	1992-93
01. Intrastate System	\$ 201,279,015\$	203,941,317
02. Secondary Roads Construction	46,099,293	46,878,630
03. Urban Loops	81,313,427	82,389,951
04. State Aid - Municipalities	21,099,293	21,378,630
05. Program Administration	15,108,972	15,311,472
06. Transfer to General Fund	170,000,000	170,000,000

GRAND TOTAL/HIGHWAY TRUST FUND \$ 534,900,000\$ 539,900,000

PART 4.-----BLOCK GRANT APPROPRIATIONS

Requested by: Representatives Nye, Easterling, Ethridge, H. Hunter, Senators Richardson, Martin of Pitt

-----BLOCK GRANT PROVISIONS

Sec. 5. (a) Appropriations from federal block grant funds are made for the fiscal year ending June 30, 1992, according to the following schedule:

TOTAL JOB TRAINING PARTNERSHIP ACT \$ 35,316,871

COMMUNITY SERVICES BLOCK GRANT

- | | |
|--|--------------|
| 01. Community Action Agencies | \$ 8,906,905 |
| 02. Limited Purpose Agencies | 494,305 |
| 03. Department of Human Resources to administer
and monitor the activities of the Community
Services Block Grant | 484,890 |

TOTAL COMMUNITY SERVICES BLOCK GRANT \$ 9,886,100

COMMUNITY DEVELOPMENT BLOCK GRANT

- | | |
|----------------------------------|------------|
| 01. State Administration | \$ 913,140 |
| 02. Urgent Needs/Contingency | 1,987,193 |
| 03. Development Planning/Housing | 1,987,193 |
| 04. Economic Development | 7,948,772 |
| 05. Community Revitalization | 27,820,702 |

TOTAL COMMUNITY DEVELOPMENT BLOCK GRANT \$ 40,657,000

PREVENTIVE HEALTH BLOCK GRANT

- | | |
|---|------------|
| 01. Emergency Medical Services | \$ 451,915 |
| 02. Basic Public Health Services | 928,395 |
| 03. Hypertension Programs | 590,230 |
| 04. Health Education/Risk Reduction Programs and
Health Promotion/Local Health Departments | 1,013,371 |
| 05. Fluoridation of Water Supplies | 158,134 |
| 06. Rape Prevention and Rape Crisis Programs | 91,269 |
| 07. AIDS/HIV Education, Counseling, and Testing | 290,577 |
| 08. TB Control Program | 61,787 |

TOTAL PREVENTIVE HEALTH BLOCK GRANT \$ 3,585,678

MATERNAL AND CHILD HEALTH SERVICES

- | | |
|--|---------------|
| 01. Healthy Mother/Healthy Children Block Grants to
Local Health Departments | \$ 11,788,781 |
| 02. High Risk Maternity Clinic Services, Perinatal Education,
and Consultation to Local Health Departments and Other
Health Care Providers | 1,554,303 |
| 03. Services to Disabled Children | 5,367,054 |
| 04. Reimbursements for Local Health Departments for
Contracted Nutritional Services | 120,530 |

TOTAL MATERNAL AND CHILD HEALTH SERVICES \$ 18,830,668

SOCIAL SERVICES BLOCK GRANT

- | | |
|--|---------------|
| 01. County Departments of Social Services | \$ 42,846,858 |
| 02. Allocation for In-Home Services provided by County
Departments of Social Services | 1,184,524 |
| 03. Division of Mental Health, Developmental Disabilities,
and Substance Abuse | 5,514,782 |
| 04. Division of Services for the Blind | 3,162,920 |
| 05. Division of Youth Services | 1,037,868 |
| 06. Division of Facility Services | 330,573 |

07. Division of Aging	333,656
08. Day Care Services	12,158,899
09. Volunteer Services	55,086
10. State Administration and State Level Contracts	3,392,468
11. Voluntary Sterilization Funds	98,710
12. Transfer to Maternal and Child Health Block Grant	1,670,089
13. Adult Day Care Services	652,889
14. County Departments of Social Services for Child Abuse/ Prevention and Permanency Planning	394,841
15. Allocation to Division of Maternal and Child Health for Grants-in-Aid to Prevention Programs	439,261
16. Transfer to Preventive Health Block Grant for Emergency Medical Services and Basic Public Health Services	486,258
17. Allocation to Preventive Health Block Grant for AIDS Education	290,577
18. Allocation to Department of Administration for North Carolina Fund for Children	45,270
19. Allocation to the Division of Economic Opportunity for Head Start, Elderly and Handicapped Services	197,421

TOTAL SOCIAL SERVICES BLOCK GRANT \$ 74,292,950

LOW INCOME ENERGY BLOCK GRANT

01. Energy Assistance Programs	\$ 18,407,453
02. Crisis Intervention	4,441,897
03. Administration	1,981,400
04. Weatherization Program	1,737,187
05. Indian Affairs	27,222
06. Transfer to Preventive Health Block Grant for Emergency Medical Services Program	209,116
07. Transfer to Social Services Block Grant for Adult Day Care Services	417,648
08. Transfer to Social Services Block Grant for State Administration & Contract Service	192,748
09. Transfer to Maternal and Child Health Block Grant in the Division of Maternal and Child Health for Healthy Mothers and Children	1,696,362
10. Transfer to SSBG for allocation to the Department of Administration for the North Carolina Fund for Children	45,270

TOTAL LOW INCOME ENERGY BLOCK GRANT \$ 29,156,303

ALCOHOL AND DRUG ABUSE AND MENTAL HEALTH SERVICES BLOCK GRANT

01. Allocate funds to the four regional offices on a per capita basis for mental health services	\$ 1,866,556
02. Programs for the Chronically Mentally Ill	3,336,748
03. Continuation of child mental health nonresidential services in accordance with the Child Mental Health Plan	315,013
04. Continuation of child mental health residential services including group homes, specialized foster care, therapeutic homes, professional parenting programs, and respite care, with an emphasis on children under the age of 12	359,703
05. Continuation and expansion of community-based alcohol and drug services including prevention, early intervention, treatment, rehabilitation, nonhospital medical detoxification, and training	6,121,682

06. Continuation and expansion of services to female substance abusers, including specialized services at the ADATCS	2,652,698
07. Continuation and expansion of services to IV drug abusers, including increased capacity for drug screens and IV services at the ADATCS	3,518,950
08. Services to adolescents, including continuation and expansion of services in accordance with the Youth Substance Abuse Plan	3,140,864
09. Funding to support the provision of Treatment Alternatives to Street Crimes (TASC) programs for adults and four demonstration projects with local jails	462,104
10. Continuing of funding for detoxification services in the Eastern Region	1,048,110
11. Administration	1,085,098
TOTAL ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH SERVICES BLOCK GRANT	\$ 23,907,526
MENTAL HEALTH SERVICES FOR THE HOMELESS BLOCK GRANT	
01. Specialized Community Services for the Chronically Mentally Ill	\$ 420,000
02. Community-Based Services for Chronically Mentally Ill Youth	97,656
03. Administration	13,344
TOTAL MENTAL HEALTH SERVICES FOR THE HOMELESS BLOCK GRANT	\$ 531,000
COMMUNITY YOUTH ACTIVITY PROGRAM BLOCK GRANT	
01. Development of Community-Based Substance Abuse Prevention Programs for Youth	\$ 92,091
TOTAL COMMUNITY YOUTH ACTIVITY PROGRAM BLOCK GRANT	\$ 92,091
CHILD CARE AND DEVELOPMENT BLOCK GRANT	
01. Child Day Care Services	14,752,146
02. Head Start Wrap-Around	3,337,000
03. Revolving Loans/Grants	500,000
04. County Day Care Coordinators	467,167
05. Staff/Child Ratio Reduction	208,300
06. Study of Day Care Salaries	100,000
07. Child Care Worker Credentials	100,000
08. Resource and Referral Programs	650,000
09. Facility Services Administration	202,054
TOTAL CHILD CARE AND DEVELOPMENT BLOCK GRANT	\$ 20,316,667

(b) Decreases in Federal Fund Availability

If federal funds are reduced below the amounts specified above after the effective date of this act, then every program, in each of the federal block grants listed above, shall be reduced by the same percentage as the reduction in federal funds.

(c) Increases in Federal Fund Availability

Any block grant funds appropriated by the United States Congress in addition to the funds specified in this act shall be expended as follows:

- (1) For the Community Development Block Grant or for the Preventive Health Block Grant — each program category under the Community Development Block Grant or the Preventive Health Block Grant, as

applicable, shall be increased by the same percentage as the increase in federal funds.

- (2) For the Maternal and Child Health Services Block Grant — these additional funds shall be allocated to local health departments to assist in the reduction of infant mortality.
- (3) For other block grants — these additional funds may be budgeted by the appropriate department, with the approval of the Office of State Budget and Management, provided the resultant increases are in accordance with federal block grant requirements and are within the scope of the block grant plan approved by the General Assembly. All these budgeted increases shall be reported to the Joint Legislative Commission on Governmental Operations and to the Director of the Fiscal Research Division.

This subsection shall not apply to Job Training Partnership Act funds.

(d) Education Setaside of JTPA Funds

The Department of Economic and Community Development shall certify to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division of the Legislative Services Office when Job Training Partnership Act funds have been distributed to each agency, the total amount distributed to each agency, and the total amount of eight percent (8%) Education Setaside funds received.

PART 5.-----GENERAL PROVISIONS

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler
 -----SPECIAL FUNDS, FEDERAL FUNDS, AND DEPARTMENTAL RECEIPTS/AUTHORIZATION FOR EXPENDITURES

Sec. 6. There is appropriated out of the cash balances, federal receipts, and departmental receipts available to each department, sufficient amounts to carry on authorized activities included under each department's operations. All these cash balances, federal receipts, and departmental receipts shall be expended and reported in accordance with provisions of the Executive Budget Act, except as otherwise provided by statute. The Director of the Budget shall develop necessary budget controls, regulations, and systems to ensure that these funds and other State funds subject to the Executive Budget Act, may not be spent in a manner which would cause a deficit in expenditures.

Pursuant to G.S. 143-34.2, State departments, agencies, institutions, boards, or commissions may make application for, receive, or disburse any form of non-State aid. All non-State monies received shall be deposited with the State Treasurer unless otherwise provided by State law. These funds shall be expended in accordance with the terms and conditions of the fund award that are not contrary to the laws of North Carolina.

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler
 -----INSURANCE AND FIDELITY BONDS

Sec. 7. All insurance and all official fidelity and surety bonds authorized for the several departments, institutions, and agencies shall be effected and placed by the Insurance Department, and the cost of placement shall be paid by the affected department, institution, or agency with the approval of the Insurance Commissioner.

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler
 -----CONTINGENCY AND EMERGENCY FUND ALLOCATION

Sec. 8. Of the funds appropriated in this Title to the Contingency and Emergency Fund, \$900,000 for the 1991-92 fiscal year and \$900,000 for the 1992-93 fiscal year shall be designated for emergency allocations, which are for the purposes outlined in G.S. 143-23(a1). \$225,000 for the 1991-92 fiscal year and \$225,000 for the 1992-93 fiscal year shall be designated for other allocations from the Contingency and Emergency Fund.

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler
-----PERMIT DEVIATION FROM EXPENDITURE OF FUNDS RESTRICTION

Sec. 8.1. For the 1991-92 fiscal year only, G.S. 143-16.3 does not apply to the extent that the Director of the Budget finds that compliance is impossible and that deviation is necessary because of complications in the budget process that were not contemplated when the budget for the 1991-93 fiscal biennium was enacted.

The Director of the Budget shall notify the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the Fiscal Research Division of the Legislative Services Office that he intends to make such a finding at least 10 days before he makes the finding. The notification shall set out the reasons that compliance may be impossible and the complications in the budget process that were not contemplated when the budget for the 1991-93 fiscal biennium was enacted that may make compliance impossible.

The Director of the Budget shall report on a quarterly basis for the first six months of the 1991-92 fiscal year and monthly thereafter, to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division of the Legislative Services Office on any deviations from G.S. 143-16.3, the reasons that compliance was impossible, and the complications in the budget process that were not contemplated when the budget for the 1991-93 fiscal biennium was enacted that made compliance impossible.

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler
-----BUDGETING OF PILOT PROGRAMS

Sec. 9. (a) Any program designated by the General Assembly as experimental, model, or pilot shall be shown as a separate budget item and shall be considered as an expansion item until a succeeding General Assembly reapproves it.

Any new program funded in whole or in part through a special appropriations bill shall be designated as an experimental, model, or pilot program.

(b) The Governor shall submit to the General Assembly with his proposed budget a report of which items in the proposed budget are subject to the provisions of this section.

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler
-----AUTHORIZED TRANSFERS

Sec. 10. The Director of the Budget may transfer to General Fund budget codes from the General Fund salary adjustment appropriation, and may transfer to Highway Fund budget codes from the Highway Fund salary adjustment appropriation, amounts required to support approved salary adjustments made necessary by difficulties in recruiting and holding qualified employees in State government. The funds may be transferred only when the use of salary reserve funds in individual operating budgets is not feasible.

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler
-----EXPENDITURES OF FUNDS IN RESERVES LIMITED

Sec. 11. All funds appropriated by this act into reserves may be expended only for the purposes for which the reserves were established.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt
-----NONPROFITS MAY RELINQUISH FUNDS

Sec. 12. G.S. 143-6.1 reads as rewritten:

"§ 143-6.1. Information from private organizations receiving State funds.

Every private person, corporation, organization, and institution which receives, uses or expends any State funds shall use or expend such funds only for the purposes for which such State funds were appropriated by the General Assembly or collected by the State.

Each private person, corporation, organization, and institution which uses or expends State funds in the amount of twenty-five thousand dollars (\$25,000) or

more annually, except when the funds are compensation for goods or services, shall file annually with the State Auditor and with the Joint Legislative Commission on Governmental Operations a financial statement in such form and on such schedule as shall be prescribed by the State Auditor, and shall furnish to the State Auditor for audit all books, records and other information as shall be necessary for the State Auditor to account fully for the use and expenditure of State funds. Each such private person, corporation, organization, and institution shall furnish such additional financial or budgetary information as shall be requested by the State Auditor or by the Joint Committee Legislative Commission on Governmental Operations. The State shall not disburse State funds appropriated by the General Assembly or collected by the State for use by any private person, corporation, organization, or institution unless that person, corporation, organization, or institution has provided all the reports and financial information required by this section. All financial statements furnished to the State Auditor or to the Joint Legislative Commission on Governmental Operations pursuant to this section, and any audits or other reports prepared by the State Auditor, shall be public records.

The receipt, use or expenditure of State funds by a private person, corporation, organization, and institution shall not, in and of itself, make or constitute such person, corporation, organization, or institution a State agency."

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt
-----STATE MONEY RECIPIENTS/CONFLICT OF INTEREST POLICY

Sec. 13. Each private, nonprofit entity eligible to receive State funds, either by General Assembly appropriation, or by grant, loan, or other allocation from a State agency, before funds may be disbursed to the entity, shall file with the disbursing agency a notarized copy of that entity's policy addressing conflicts of interest that may arise involving the entity's management employees and the members of its board of directors or other governing body. The policy shall address situations where any of these individuals may directly or indirectly benefit, except as the entity's employees or members of the board or other governing body, from the entity's disbursing of State funds, and shall include actions to be taken by the entity or the individual, or both, to avoid conflicts of interest and the appearance of impropriety.

Requested by: Representatives H. Hunter, Dockham, James, Ethridge, DeVane, Senator Martin of Pitt
-----DEPARTMENTAL REDUCTIONS/COUNTIES HARMLESS

Sec. 14. The Departments of Environment, Health, and Natural Resources, Economic and Community Development, Labor, and Agriculture shall not reduce continuing operations disbursements to local governments for the 1991-92 fiscal year and the 1992-93 fiscal year below the disbursement level for the 1990-91 fiscal year solely for the purpose of effectuating reductions to those Departments required by this act unless these reductions are specified in Aid-To-Counties line items in this act.

PART 6.-----STATE BOARD OF ELECTIONS

Requested by: Representatives Bowman, N.J. Crawford, Senator Martin of Guilford

-----CHANGE THE DATE OF THE PRESIDENTIAL PRIMARY TO THE DATE OF THE REGULAR STATEWIDE PRIMARY, AND ELIMINATE REIMBURSEMENT TO THE COUNTIES OF THE EXPENSE OF HOLDING A SEPARATE PRIMARY

Sec. 15. (a) G.S. 163-213.2 reads as rewritten:

"§ 163-213.2. Primary to be held; date; qualifications and registration of voters.

On the ~~second Tuesday in March, 1988~~, Tuesday after the first Monday in May, 1992, and every four years thereafter, the voters of this State shall be given an opportunity to express their preference for the person to be the presidential candidate of their political party.

Any person otherwise qualified who will become qualified by age to vote in the general election held in the same year of the presidential preference primary shall be entitled to register and vote in the presidential preference primary. Such persons may register not earlier than 60 days nor later than the 21st day prior to the said primary. In addition, persons who will become qualified by age to register and vote in the general election for which the primary is held, who do not register during the special period may register to vote after such period as if they were qualified on the basis of age, but until they are qualified by age to vote, they may vote only in primary elections."

(b) G.S. 163-213.3 reads as rewritten:

"§ 163-213.3. Conduct of election.

The presidential preference primary election shall be conducted and canvassed by the same authority and in the manner provided by law for the conduct and canvassing of the primary election for the office of Governor and all other offices enumerated in G.S. 163-187 and under the same provisions stipulated in G.S. ~~163-188, 163-188.~~ ~~except that the earliest date by which absentee ballots shall be available shall be 35 days prior to the date of the primary.~~ The State Board of Elections shall have authority to promulgate reasonable rules and regulations, not inconsistent with provisions contained herein, pursuant to the administration of this Article."

(c) G.S. 163-213.4 reads as rewritten:

"§ 163-213.4. Nomination by State Board of Elections.

The State Board of Elections shall convene in Raleigh on the first Tuesday in ~~January~~ February preceding the presidential preference primary election. At the meeting required by this section, the State Board of Elections shall nominate as presidential primary candidates all candidates affiliated with a political party, recognized pursuant to the provisions of Article 9 of Chapter 163 of the General Statutes, who have become eligible to receive payments from the Presidential Primary Matching Payment Account, as provided in section 9033 of the U.S. Internal Revenue Code of 1954, as amended. Immediately upon completion of these requirements, the Board shall release to the news media all such nominees selected. Provided, however, nothing shall prohibit the partial selection of nominees prior to the meeting required by this section, if all provisions herein have been complied with."

(d) G.S. 163-213.11 is repealed.

PART 7.-----OFFICE OF STATE AUDITOR

Requested by: Representatives Bowman, N.J. Crawford, Senator Martin of Guilford

-----DEPARTMENT OF REVENUE PERFORMANCE AUDIT

Sec. 16. The State Auditor shall conduct an operations performance audit of the Department of Revenue with particular attention to auditing the efficiency of information systems and the effectiveness of tax collection systems. The State Auditor shall report the results of the audit to the General Assembly on or before May 1, 1992.

PART 8.-----DEPARTMENT OF ADMINISTRATION

Requested by: Representatives Bowman, N.J. Crawford, Senator Martin of Guilford

-----BOARD OF SCIENCE AND TECHNOLOGY LIMITATION

Sec. 17. All funds appropriated in the 1991-92 fiscal year and the 1992-93 fiscal year for research grants for the Board of Science and Technology shall be used only for research grants and shall not be transferred to any other objects of expenditure.

Requested by: Representatives Bowman, N.J. Crawford, Senator Martin of Guilford

-----OFFICE OF STATE PERSONNEL DECENTRALIZATION

Sec. 18. (a) Effective January 1, 1993, the Office of State Personnel shall have decentralized the classification and salary administration functions of all State

departments with more than 500 permanent full-time employees, subject to criteria and standards set by the State Personnel Commission. The Commission shall have the authority to suspend decentralization when agencies violate State Personnel Commission criteria and standards.

The Office of State Personnel shall report annually to the Joint Legislative Commission on Governmental operations and to the Fiscal Research Division by December 1 of each year, beginning on December 1, 1991, on its progress towards this decentralization.

(b) The Office of State Personnel shall present its plan for decentralization of the classification and salary administration functions to the State Personnel Study Commission or its successor. The State Personnel Study Commission shall consider those statutory changes as may facilitate decentralization and report its recommendations to the General Assembly by April 1, 1992.

Requested by: Representatives Bowman, N.J. Crawford, Senator Martin of Guilford

-----COUNCIL OF GOVERNMENT FUNDS

Sec. 19. (a) Of the funds appropriated in this Title to the Department of Administration, \$864,270 for 1991-92 fiscal year and \$864,270 for 1992-93 fiscal year shall only be used as provided by this section. Each regional council of government or lead regional organization is allocated up to \$48,015 each fiscal year, with the actual amount calculated as provided in subsection (b) of this section.

(b) The funds shall be allocated as follows: A share of the maximum \$48,015 each fiscal year shall be allocated to each county and smaller city based on the most recent annual estimate of the Office of State Budget and Management of the population of that county (less the population of any larger city within that county) or smaller city, divided by the sum of the total population of the region (less the population of larger cities within that region) and the total population of the region living in smaller cities. Those funds shall be paid to the regional council of government for the region in which that city or county is located upon receipt by the Department of Administration of a resolution of the governing board of the county or city requesting release of the funds. If any city or county does not so request payment of funds by June 30 of a State fiscal year, that share of the allocation for that fiscal year shall revert to the General Fund.

(c) A regional council of government may use funds appropriated by this section only to assist local governments in grant applications, economic development, community development, support of local industrial development activities, and other activities as deemed appropriate by the member governments.

(d) Funds appropriated by this section may not be used for payment of dues or assessments by the member governments, and may not supplant funds appropriated by the member governments.

(e) As used in this section "Larger City" means an incorporated city with a population of 50,000 or over. "Smaller City" means any other incorporated city.

Requested by: Representatives Bowman, N.J. Crawford, Senators Martin of Guilford, Marvin

-----ALLOCATION OF RAPE CRISIS CENTER FUNDS

Sec. 20. All funds for the Rape Crisis Centers appropriated to the Department of Administration, the North Carolina Council for Women, for the 1991-92 fiscal year and the 1992-93 fiscal year in this Title shall be available to Rape Crisis Centers providing direct services to victims of sexual assault and rape prevention services. Funds shall be awarded according to criteria established by the Department of Administration. Grants shall be awarded by September 1 each fiscal year and the funds disbursed on a quarterly basis.

Requested by: Representatives Bowman, N.J. Crawford, Senators Martin of Guilford, Perdue

-----DOMESTIC VIOLENCE CENTER FUNDS

Sec. 21. The funds appropriated in this Title to the Department of Administration, the North Carolina Council for Women, for fiscal years 1991-92 and 1992-93 for domestic violence centers, shall be allocated equally among domestic violence centers in operation on July 1, 1990, that offer services including a hotline, transportation services, community education programs, daytime services, and call forwarding during the night and that fulfill other criteria established by the Department of Administration. Grants shall be awarded based on criteria established by the Department of Administration and disbursed on a quarterly basis. The North Carolina Coalition Against Domestic Violence, Incorporated, is eligible for a grant of \$10,000 under this section.

Requested by: Representatives Bowman, N.J. Crawford, Senator Martin of Guilford

-----MOTOR FLEET MANAGEMENT CHANGES/EFFICIENCY MEASURES/COMMUTING AND SPECIAL USE VEHICLE RESTRICTIONS

Sec. 22. G.S. 143-341(8)i. reads as rewritten:

- "i. To establish and operate a central motor pool and such subsidiary related facilities as the Secretary may deem necessary, and to that end:
 1. To establish and operate central facilities for the maintenance, repair, and storage of state-owned passenger motor vehicles for the use of State agencies; to utilize any available State facilities for that purpose; and to establish such subsidiary facilities as the Secretary may deem necessary.
 2. To acquire passenger motor vehicles by transfer from other State agencies and by purchase. All motor vehicles transferred to or purchased by the Department shall become part of a central motor pool.
 3. To require on a schedule determined by the Department all State agencies to transfer ownership, custody or control of any or all passenger motor vehicles within the ownership, custody or control of that agency to the Department, except those motor vehicles under the ownership, custody or control of the Highway Patrol or the State Bureau of Investigation which are used primarily for law-enforcement purposes, and except those motor vehicles under the ownership, custody or control of the Department of Crime Control and Public Safety for Butner Public Safety which are used primarily for law-enforcement, fire, or emergency purposes.
 4. To maintain, store, repair, dispose of, and replace state-owned motor vehicles under the control of the Department. The Department shall ensure that state-owned vehicles are not normally replaced until they have been driven for 90,000 miles or more.
 5. Upon proper requisition, proper showing of need for use on State business only, and proper showing of proof that all persons who will be driving the motor vehicle have valid drivers' licenses, to assign suitable transportation, either on a temporary or permanent basis, to any State employee or agency. An agency assigned a motor vehicle may not allow a person to operate that motor vehicle unless that person displays to the agency and allows the agency to copy that person's valid driver's license. Notwithstanding G.S. 20-30(6), persons or agencies requesting assignment of motor vehicles may photostat or otherwise reproduce drivers' licenses for purposes of complying with this subpart.

As used in this subpart, 'suitable transportation' means the standard vehicle in the State motor fleet, unless special towing provisions are required by the employee or agency. The Department may not assign any employee or agency a motor vehicle that is not suitable. The Department shall not approve requests for vehicle

assignment or reassignment when the purpose of that assignment or reassignment is to provide any employee with a newer or lower mileage vehicle because of his or her rank, management authority, or length of service or because of any non-job-related reason. The Department shall not assign 'special use' vehicles, such as four-wheel drive vehicles or law enforcement vehicles, to any agency or individual except upon written justification, verified by historical data, and accepted by the Secretary.

6. To allocate and charge against each State agency to which transportation is furnished, on a basis of mileage or of rental, its proportionate part of the cost of maintenance and operation of the motor pool.

The amount allocated and charged by the Department of Administration to State agencies to which transportation is furnished shall be at least as follows:

- I. Pursuit vehicles and full size ~~4-wheel~~ four-wheel drive vehicles — \$.24/mile.
 - II. Vans and compact ~~4-wheel~~ four-wheel drive vehicles — \$.22/mile.
 - III. All other vehicles — \$.20/mile.
7. To adopt, with the approval of the Governor, reasonable rules for the efficient and economical operation, maintenance, repair, and ~~replacement~~ replacement, as limited in paragraph 4. of this subdivision. of all state-owned motor vehicles under the control of the Department, and to enforce those rules; and to adopt, with the approval of the Governor, reasonable rules regulating the use of private motor vehicles upon State business by the officers and employees of State agencies, and to enforce those rules. The Department, with the approval of the Governor, may delegate to the respective heads of the agencies to which motor vehicles are permanently assigned by the Department the duty of enforcing the rules adopted by the Department pursuant to this paragraph. Any person who violates a rule adopted by the Department and approved by the Governor is guilty of a misdemeanor, and upon conviction is punishable in the discretion of the court.
 - 7a. To adopt with the approval of the Governor and to enforce rules and to coordinate State policy regarding (i) the permanent assignment of state-owned passenger motor vehicles and (ii) the use of and reimbursement for those vehicles for ~~commuting~~ the limited commuting permitted by this subdivision. For the purpose of this subdivision 7a, 'state-owned passenger motor vehicle' includes any state-owned passenger motor vehicle, whether or not owned, maintained or controlled by the Department of Administration, and regardless of the source of the funds used to purchase it. Notwithstanding the provisions of G.S. 20-190 or any other provisions of law, all state-owned passenger motor vehicles are subject to the provisions of this subdivision 7a; no permanent assignment shall be made and no one shall be exempt from payment of reimbursement for commuting or from the other provisions of this subdivision 7a except as provided by this subdivision 7a. Commuting, as defined and regulated by this subdivision, is limited to those specific cases in which the Secretary has received and accepted written justification, verified by historical data. The Department shall not assign any state-owned motor vehicle that may be used for commuting other than those authorized by the procedure prescribed in this subdivision.

A State-owned passenger motor vehicle shall not be permanently assigned to an individual who is likely to drive it on official business at a rate of less than ~~12,600 miles per year~~ 3,150 miles per quarter unless (i) the individual's duties are routinely related to public safety or (ii) the individual's duties are likely to expose him routinely to life-threatening situations. A State-owned passenger motor vehicle shall also not be permanently assigned to an agency that is likely to drive it on official business at a rate of less than ~~12,600 miles per year~~ 3,150 miles per quarter unless the agency can justify to the Division of Motor Fleet Management the need for permanent assignment because of the unique use of the vehicle. The Department of Administration shall verify, on a quarterly basis, that each motor vehicle has been driven at the minimum allowable rate. If it has not and if the department by whom the individual to which the car is assigned is employed or the agency to which the car is assigned cannot justify the lower mileage for the quarter in view of the minimum annual rate, the permanent assignment shall be revoked immediately.

Every individual who uses a State-owned passenger motor vehicle, pickup truck, or van to drive between his official work station and his home, shall reimburse the State for these trips at a rate computed by the Department. This rate shall approximate the benefit derived from the use of the vehicle as prescribed by federal law. Reimbursement shall be for 20 days per month regardless of how many days the individual uses the vehicle to commute during the month. Reimbursement shall be made by payroll deduction. Funds derived from reimbursement on vehicles owned by the Motor Fleet Management Division shall be deposited to the credit of the Division; funds derived from reimbursements on vehicles initially purchased with appropriations from the Highway Fund and not owned by the Division shall be deposited in a Special Depository Account in the Department of Transportation, which shall revert to the Highway Fund; funds derived from reimbursement on all other vehicles shall be deposited in a Special Depository Account in the Department of Administration which shall revert to the General Fund. Commuting, for purposes of this paragraph, does not include those individuals whose office is in their home, as determined by the Department of Administration, Division of Motor Fleet Management. Also, this paragraph does not apply to the following vehicles: (i) clearly marked police and fire vehicles, (ii) delivery trucks with seating only for the driver, (iii) flatbed trucks, (iv) cargo carriers with over a 14,000 pound capacity, (v) school and passenger buses with over 20 person capacities, (vi) ambulances, (vii) hearses, (viii) bucket trucks, (ix) cranes and derricks, (x) forklifts, (xi) cement mixers, (xii) dump trucks, (xiii) garbage trucks, (xiv) specialized utility repair trucks (except vans and pickup trucks), (xv) tractors, (xvi) unmarked law-enforcement vehicles that are used in undercover work and are operated by full-time, fully sworn law-enforcement officers whose primary duties include carrying a firearm, executing search warrants, and making arrests, and (xvii) any other vehicle exempted under Section 274(d) of the Internal Revenue Code of 1954, and Federal Internal Revenue Services regulations based thereon. The Department of Administration, Division of Motor Fleet Management, shall report quarterly to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division of the Legislative Services Office on individuals who use State-owned passenger motor vehicles,

pickup trucks, or vans between their official work stations and their homes, who are not required to reimburse the State for these trips.

The Department of Administration shall revoke the assignment or require the Department owning the vehicle to revoke the assignment of a State-owned passenger motor vehicle, pick-up truck or van to any individual who:

- I. Uses the vehicle for other than official business except in accordance with the commuting rules;
- II. Fails to supply required reports to the Department of Administration, or supplies incomplete reports, or supplies reports in a form unacceptable to the Department of Administration and does not cure the deficiency within 30 days of receiving a request to do so;
- III. Knowingly and willfully supplies false information to the Department of Administration on applications for permanent assignments, commuting reimbursement forms, or other required reports or forms;
- IV. Does not personally sign all reports on forms submitted for vehicles permanently assigned to him and does not cure the deficiency within 30 days of receiving a request to do so;
- V. Abuses the vehicle; or
- VI. Violates other rules or policy promulgated by the Department of Administration not in conflict with this act.

A new requisition shall not be honored until the Secretary of the Department of Administration is assured that the violation for which a vehicle was previously revoked will not recur.

The Department of Administration, with the approval of the Governor, may delegate, or conditionally delegate, to the respective heads of agencies which own passenger motor vehicles or to which passenger motor vehicles are permanently assigned by the Department, the duty of enforcing all or part of the rules adopted by the Department of Administration pursuant to this subdivision 7a. The Department of Administration, with the approval of the Governor, may revoke this delegation of authority.

Prior to adopting rules under this paragraph, the Secretary of Administration may consult with the Advisory Budget Commission.

8. To adopt and administer rules for the control of all state-owned passenger motor vehicles and to require State agencies to keep all records and make all reports regarding motor vehicle use as the Secretary deems necessary.
9. To acquire motor vehicle liability insurance on all State-owned motor vehicles under the control of the Department.
10. To contract with the appropriate State prison authorities for the furnishing, upon such conditions as may be agreed upon from time to time between such State prison authorities and the Secretary, of prison labor for use in connection with the operation of a central motor pool and related activities.
11. To report annually to the General Assembly on any rules adopted, amended or repealed under paragraphs 3, 7, or 7a of this subdivision."

Requested by: Representatives Bowman, N.J. Crawford, Senator Martin of Guilford

-----MOTOR FLEET MANAGEMENT/RETURN OF GENERAL FUND INVESTMENT

Sec. 23. On April 1, 1992, the Department of Administration shall credit to the Office of State Treasurer, Nontax Revenues, the sum of \$2,000,000 and on June 15,

1992, the sum of \$1,500,000, unless the Department chooses to make a total payment of \$3,500,000 on April 1, 1992. These funds represent a partial return to the General Fund of its investment of \$5,100,000 in capital funds for the upgrading of the State motor fleet appropriated in Section 57 of Chapter 757 of the 1985 Session Laws.

Requested by: Representatives Bowman, N.J. Crawford, Senator Martin of Guilford

-----APPALACHIAN REGIONAL FUNDS SUBGRANTS

Sec. 23.1. Of the federal funds received by the Department of Administration for the fiscal biennium 1991-93 under the Appalachian Regional Commission Consolidated Technical Assistance Grant, the Department shall subgrant no less than fifty percent (50%) to eligible applicants whose service area or jurisdiction is wholly or partially located within counties of the Appalachian Region.

PART 9.-----DEPARTMENT OF STATE TREASURER

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Guilford

-----LOCAL GOVERNMENTS FUND COST OF LOCAL GOVERNMENT COMMISSION

Sec. 24. G.S. 105-213, as amended by Section 7 of Chapter 325 of the 1991 Session Laws, reads as rewritten:

"§ 105-213. Appropriation to counties and municipalities; use of appropriation.

(a) There is annually appropriated from the General Fund to counties and municipalities the amount of revenue collected under this Article during the preceding fiscal year, plus an amount equal to forty percent (40%) of the tax collected on accounts receivable during the preceding fiscal year and less an amount equal to the costs during the preceding fiscal year of:

- (1) Refunds made during the fiscal year of taxes levied under this Article.
- (2) The Department of Revenue to collect and administer the taxes levied under this Article.
- (3) The Department of Revenue in performing the duties imposed by Article 15 of this Chapter.
- (4) The Property Tax Commission.
- (5) The Institute of Government in operating a training program in property tax appraisal and assessment.
- (6) The personnel and operations provided by the Department of State Treasurer for the Local Government Commission.

The appropriation shall be distributed by August 30 of each year. The appropriation shall be included in the Current Operations Appropriations Act.

To distribute the appropriation, the Secretary of Revenue shall keep a separate record by counties of the taxes collected under this Article and shall certify to the State Controller and to the State Treasurer the amount to be distributed to each county and municipality in the State. The State Controller shall then issue a warrant on the State Treasurer to each county and municipality in the amount certified.

The Secretary shall allocate the amount appropriated under this Article to the counties according to the county in which the taxes were collected. The Secretary shall then increase the amount allocable to each county by a sum equal to forty percent (40%) of the amount of tax on accounts receivable allocated to the county on the basis of collections. The amounts so allocated to each county shall in turn be divided between the county and the municipalities in the county in proportion to the total amount of ad valorem taxes levied by each during the fiscal year preceding the distribution. In dividing these amounts between each county and its municipalities, the Secretary shall treat taxes levied by a merged school administrative unit described in G.S. 115C-513 in a part of the unit located in a county as taxes levied by the county in which that part is located. For the purpose of computing the distribution of the intangibles tax to any county and the municipalities located in the county for any

year with respect to which the property valuation of a public service company is the subject of an appeal pursuant to the provisions of the Machinery Act, or to applicable provisions of federal law, and the Department of Revenue is restrained by operation of law or by a court of competent jurisdiction from certifying such valuation to the county and municipalities therein, the Department shall use the last property valuation of such public service company which has been so certified in order to determine the ad valorem tax levies applicable to such public service company in the county and the municipalities therein.

The chairman of each board of county commissioners and the mayor of each municipality shall report to the Secretary of Revenue information requested by the Secretary to enable the Secretary to distribute the amount appropriated by this section. If a county or municipality fails to make a requested report within the time allowed, the Secretary may disregard the county or municipality in distributing the amount appropriated by this section. The amount distributed to each county and municipality shall be used by the county or municipality in proportion to property tax levies made by it for the various funds and activities of the county or municipality, unless the county or municipality has pledged the amount to be distributed to it under this section in payment of a loan agreement with the North Carolina Solid Waste Management Capital Projects Financing Agency. A county or municipality that has pledged amounts distributed under this section in payment of a loan agreement with the Agency may apply the amount the loan agreement requires.

(b) For purposes of this section, the term 'municipality' includes any urban service district defined by the governing board of a consolidated city-county, and the amounts due thereby shall be distributed to the government of the consolidated city-county."

PART 10.-----DEPARTMENT OF REVENUE

Requested by: Representatives Bowman, N.J. Crawford, Senator Martin of Guilford

-----NO GAS TAX ON GAS FOR STATE VEHICLES

Sec. 25. (a) Article 36 of Chapter 105 of the General Statutes is amended by adding a new section to read:

"§ 105-449A. Exemption of motor fuel used in State vehicles.

(a) Motor fuel purchased by the State for use in State-owned motor vehicles for State business is exempt from the excise tax levied by this Article if an invoice for the fuel stating the agency to whom the fuel was delivered, the price per gallon of the fuel excluding the tax, and the kind and quantity of fuel sold is furnished to the Secretary of Revenue. A person who holds a State contract for the sale of motor fuel to be used in State-owned motor vehicles for State business shall invoice motor fuel sold to the State for this purpose at the prevailing contract price, excluding the tax, and a person who does not hold a State contract for the sale of motor fuel to be used in State-owned motor vehicles for State business but who sells motor fuel for this purpose in quantities not sufficient to require a State contract shall invoice motor fuel sold to the State at the lowest informal bid price, excluding the tax.

(b) A person authorized to sell motor fuel to the State who paid the tax levied by this Article on fuel sold to the State for use in State-owned motor vehicles for State business may obtain a refund of the tax paid on the fuel upon filing an application for refund with the Secretary of Revenue and attaching an invoice, containing the information required in subsection (a) of this section, to the refund application. Upon receipt of a proper application and invoice, the Secretary shall refund the amount of tax paid.

(c) A person who makes a false invoice or application for refund under this section shall be guilty of a misdemeanor, punishable by a fine of up to five hundred dollars (\$500.00), imprisonment for up to two years, or both."

(b) This section becomes effective August 1, 1991, and applies to sales made on or after that date.

PART 11.-----OFFICE OF THE GOVERNOR

Requested by: Representatives Bowman, N.J. Crawford, Senators Basnight, Plyler
----- COMPUTER RESERVE FUND

Sec. 26. (a) The funds appropriated in this Title to the Office of State Budget and Management for a Computer Reserve shall be used by the Office of State Budget and Management to address critical computer needs when no alternative source of funds is available. Critical computer needs for which Computer Reserve funds may be used pursuant to this section are defined as those needs that involve one or more of the following factors:

- (1) An explicit provision in federal or State law or rule, or a federal grant-in-aid condition, that can only be satisfied through investment in additional data processing equipment or software;
- (2) A failure or breakdown of existing equipment that substantially degrades current operations, when repair of existing equipment is uneconomical;
- (3) Research or instructional activity of an ongoing nature that serves a vital public interest whose continuation depends upon the acquisition of data processing equipment or software; and
- (4) A direct relationship between the proposed acquisition to ongoing maintenance or continued operation of existing minicomputers, minicomputer networks, mainframes, or mainframe networks, which renders the proposed acquisition essential to the existing system.

The Office of State Budget and Management shall submit a report showing disbursements from or encumbrances upon the Computer Reserve and the reasons for the disbursement or encumbrance to the Joint Legislative Commission on Governmental Operations, the Fiscal Research Division, and the Information Technology Commission at the conclusion of each quarter of each fiscal year of the 1991-93 fiscal biennium.

At the end of each fiscal year, unexpended funds in the Computer Reserve shall revert to the General Fund.

(b) Notwithstanding the provisions of G.S. 143-16.3, and G.S. 143-23(a1), State departments may use funds from any source available to them and may transfer funds from other line items in their budgets to purchase additional data processing equipment and software.

(c) This section does not apply to The University of North Carolina or its constituent institutions, the Department of Community Colleges, or the Department of Public Instruction.

Requested by: Representatives Nesbitt, Diamont, McAllister, Senator Martin of Guilford

-----IDENTIFICATION OF POSITIONS, PROGRAMS, AND SALARY LINE ITEMS TO BE REDUCED

Sec. 27. (a) To effect the reductions in departmental budgets required by this Title for the 1991-93 fiscal biennium, the Office of State Budget and Management shall freeze all new hires for these departments on July 1, 1991, allow the departments 30 days to identify the positions, programs, and salary line items affected, and transfer the reductions to those line items from which positions will be eliminated.

(b) The positions identified pursuant to subsection (a) of this section shall remain vacant for the 1991-92 fiscal year and shall not be reported in the base budget requested by the departments for the 1992-93 fiscal year, shall remain as permanent cuts, and shall be abolished.

(c) The departments shall report, by August 15, 1991, to the appropriate House and Senate Appropriations subcommittees, to the chairmen of the House and Senate Appropriations Committees, and to the Joint Legislative Commission on Governmental Operations the particular line items in their departmental budgets that reflect the reductions required by this section.

(d) No positions in the Sickle Cell Activities of the Sickle Cell and Genetic Counseling Program of the Department of Environment, Health, and Natural Resources shall be subject to this section.

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler

-----RESERVE FOR LOCAL TAX REIMBURSEMENTS

Sec. 28. (a) There is created in the Office of State Budget and Management a special reserve to be known as the Reserve for Reimbursements to Local Governments and Shared Tax Revenues. Funds in the reserve shall be distributed to local governments as provided by statute.

(b) G.S. 105-113.82 reads as rewritten:

"§ 105-113.82. Appropriation of amount equal to part of beer and wine taxes.

(a) Amount, Method. — An amount equal to the following percentages of the net amount of excise taxes collected, during the period that ~~begins the preceding October 1 and ends September 30, began October 1, 1989, and ended September 30, 1990.~~ on the sale of malt beverages and wine, less the amount of the net proceeds credited to the Department of Agriculture under G.S. 105-113.81A, is annually appropriated from the General Fund to the counties and cities in which the retail sale of these beverages is authorized:

- (1) Of the tax on malt beverages levied under G.S. 105-113.80(a), twenty-three and three-fourths percent (23 $\frac{3}{4}$ %);
- (2) Of the tax on unfortified wine levied under G.S. 105-113.80(b), sixty-two percent (62%); and
- (3) Of the tax on fortified wine levied under G.S. 105-113.80(b), twenty-two percent (22%).

If malt beverages, unfortified wine, or fortified wine may be licensed to be sold at retail in both a county and a city located in the county, both the county and city shall receive a portion of the amount appropriated, that portion to be determined on the basis of population. If one of these beverages may be licensed to be sold at retail in a city located in a county in which the sale of the beverage is otherwise prohibited, only the city shall receive a portion of the amount appropriated, that portion to be determined on the basis of population. The amount of the appropriation to be distributed under subdivisions (1), (2), and (3) shall be computed separately.

(b) Reduction in Appropriation. — Where the sale of malt beverages, unfortified wine, or fortified wine is prohibited in a defined area of a city or county in which the sale of the beverage is authorized, the amount that would otherwise be appropriated to the city or county on the basis of population under subsection (a) shall be reduced in the same ratio that the area of the defined area bears to the total area of the city or county, unless the defined area is a city. If the defined area in a county is a city, the reduction in the amount that would otherwise be appropriated to the county under subsection (a) shall be based on population instead of area.

(c) Exception. — Notwithstanding subsection (a), in a county in which ABC stores have been established by petition, the amount appropriated shall be distributed as though the entire county had approved the retail sale of a beverage whose retail sale is authorized in part of the county.

(d) Time. — The appropriation shall be distributed to cities and counties within 60 days after September 30 of each year.

(e) Population Estimates. — To determine the population of a city or county for purposes of the distribution required by this section, the Secretary shall use the most recent annual estimate of population certified by the State Budget Officer.

(f) City Defined. — As used in this section, the term 'city' means a city as defined in G.S. 153A-1(1) or an urban service district defined by the governing body of a consolidated city-county.

(g) Use of Funds. — Funds appropriated to a county or city under this section may be used for any public purpose.

(h) Act. — The appropriation made by this section shall be included in the Current Operations Appropriations Act."

(c) G.S. 105-116(d) reads as rewritten:

"(d) Appropriation. There is annually appropriated from the General Fund to each municipality an amount that equals three and nine hundredths percent (3.09%) of the taxable gross receipts derived, ~~from April 1 of the preceding fiscal year to the following March 31, April 1, 1990, to March 31, 1991,~~ by an electric power company and a natural gas company from sales within the municipality of the commodities and services described in subsection (a). The Secretary of Revenue shall transfer the amount appropriated to a municipality in quarterly installments on or before September 15, December 15, March 15, and June 15 ~~based on~~ in proportion to the taxable gross receipts derived within the municipality during the preceding calendar quarter. If a company's report does not state the company's taxable gross receipts derived within a municipality, the Secretary of Revenue shall determine a practical method of allocating part of the company's taxable gross receipts to the municipality. Before transferring the amount appropriated by this subsection, the Secretary of Revenue shall certify the amount to be transferred distributed to the State Controller. The appropriation made by this subsection shall be included in the Current Operations Appropriations Act.

As used in this subsection, the term 'municipality' includes an urban service district defined by the governing board of a consolidated city-county. The amount due an urban service district shall be distributed to the governing board of the consolidated city-county."

(d) G.S. 105-120(c) reads as rewritten:

"(c) Appropriation. There is annually appropriated from the General Fund to each municipality an amount that equals three and nine hundredths percent (3.09%) of the taxable gross receipts derived, ~~from April 1 of the preceding fiscal year to the following March 31, April 1, 1990, to March 31, 1991,~~ from local telecommunications service provided within the municipality. The Secretary of Revenue shall transfer the amount appropriated to a municipality in quarterly installments on or before September 15, December 15, March 15, and June 15 ~~based on~~ in proportion to the taxable gross receipts derived within the municipality during the preceding calendar quarter. If a company's report does not state the company's taxable gross receipts derived within a municipality, the Secretary of Revenue shall determine a practical method of allocating part of the company's taxable gross receipts to the municipality. Before transferring the amount appropriated by this subsection, the Secretary of Revenue shall certify the amount to be transferred to the State Controller. The appropriation made by this subsection shall be included in the Current Operations Appropriations Act.

As used in this subsection, the term 'municipality' includes an urban service district defined by the governing board of a consolidated city-county. The amount due an urban service district shall be distributed to the governing board of the consolidated city-county."

(e) G.S. 105-164.44C reads as rewritten:

"§ 105-164.44C. Reimbursement for sales taxes on food stamp foods and supplemental foods.

~~As soon as practicable after July 1 of each year, the Secretary shall determine from available information. There is annually appropriated to each county and the cities in the county an amount equal to~~ the amount of local sales taxes that would have been collected in ~~each~~ the county during the ~~preceding 1989-90~~ fiscal year on foods purchased with food stamp coupons or supplemental food instruments in the county, had these foods not been exempt from tax under G.S. 105-164.13(38). The Secretary shall then distribute the amounts determined to be due each county between the county and the cities located in the county in accordance with the method by which local sales and use taxes are distributed in that county. In order to pay for the reimbursement under this section and the cost to the Department of Revenue for administering the reimbursement, the Secretary of Revenue shall draw from the Local

Government Tax Reimbursement Reserve an amount equal to the amount of the reimbursement and the cost of administration."

(f) G.S. 105-198 reads as rewritten:

"§ 105-198. Intangible personal property.

The intangible personal properties enumerated and defined in this Article are classified under authority of Section 2(2), Article V of the North Carolina Constitution. The taxes are levied for the purposes stated in this ~~Article, Subchapter.~~"

(g) G.S. 105-213, as amended by Section 7 of Chapter 325 of the 1991 Session Laws, reads as rewritten:

"§ 105-213. Appropriation to counties and municipalities; use of appropriation.

(a) There is annually appropriated from the General Fund to counties and municipalities the net amount of revenue collected under this Article during the ~~preceding 1989-90~~ fiscal year, plus an amount equal to forty percent (40%) of the tax collected on accounts receivable during the ~~preceding 1989-90~~ fiscal year and less an amount equal to the costs during the preceding fiscal year of:

- (1) Refunds made during the fiscal year of taxes levied under this Article.
- (2) The Department of Revenue to collect and administer the taxes levied under this Article.
- (3) The Department of Revenue in performing the duties imposed by Article 15 of this Chapter.
- (4) The Property Tax Commission.
- (5) The Institute of Government in operating a training program in property tax appraisal and assessment.

The appropriation shall be distributed by August 30 of each year. The appropriation shall be included in the Current Operations Appropriations Act.

The appropriation shall be allocated among the counties in proportion to the amount of taxes collected under this Article in each county during the preceding fiscal year. To distribute the appropriation, the Secretary of Revenue shall keep a separate record by counties of the taxes collected under this Article and shall certify to the State Controller and to the State Treasurer the amount to be distributed to each county and municipality in the State. The State Controller shall then issue a warrant on the State Treasurer to each county and municipality in the amount certified. Article. The Secretary shall allocate the amount appropriated under this ~~Article section~~ to the counties according to the county in which the taxes were collected. ~~The Secretary shall then increase the amount allocable to each county by a sum equal to forty percent (40%) of the amount of tax on accounts receivable allocated to the county on the basis of collections.~~ The amounts so allocated to each county shall in turn be ~~divided~~ allocated between the county and the municipalities in the county in proportion to the total amount of ad valorem taxes levied by each during the fiscal year preceding the distribution. In dividing these amounts between each county and its municipalities, the Secretary shall treat taxes levied by a merged school administrative unit described in G.S. 115C-513 in a part of the unit located in a county as taxes levied by the county in which that part is located. After making these allocations, the Secretary of Revenue shall certify to the State Controller and to the State Treasurer the amount to be distributed to each county and municipality in the State. The State Controller shall then issue a warrant on the State Treasurer to each county and municipality in the amount certified. The amount based on forty percent (40%) of the tax collected on accounts receivable shall be drawn from the Local Government Tax Reimbursement Reserve and the amount based on the net amount of revenue collected under this Article shall be drawn from the Local Government Tax Sharing Reserve.

For the purpose of computing the distribution of the intangibles tax to any county and the municipalities located in the county for any year with respect to which the property valuation of a public service company is the subject of an appeal pursuant to the provisions of the Machinery Act, or to applicable provisions of federal law, and the Department of Revenue is restrained by operation of law or by a court of

competent jurisdiction from certifying such valuation to the county and municipalities therein, the Department shall use the last property valuation of such public service company which has been so certified in order to determine the ad valorem tax levies applicable to such public service company in the county and the municipalities therein.

The chairman of each board of county commissioners and the mayor of each municipality shall report to the Secretary of Revenue information requested by the Secretary to enable the Secretary to ~~distribute~~ allocate the amount appropriated by this section. If a county or municipality fails to make a requested report within the time allowed, the Secretary may disregard the county or municipality in ~~distributing~~ allocating the amount appropriated by this section. The amount distributed to each county and municipality shall be used by the county or municipality in proportion to property tax levies made by it for the various funds and activities of the county or municipality, unless the county or municipality has pledged the amount to be distributed to it under this section in payment of a loan agreement with the North Carolina Solid Waste Management Capital Projects Financing Agency. A county or municipality that has pledged amounts distributed under this section in payment of a loan agreement with the Agency may apply the amount the loan agreement requires.

(b) For purposes of this section, the term 'municipality' includes any urban service district defined by the governing board of a consolidated city-county, and the amounts due thereby shall be distributed to the government of the consolidated city-county."

(h) G.S. 105-213.1 reads as rewritten:

"§ 105-213.1. Additional appropriation to counties and municipalities.

(a) Appropriation. — As soon as practicable after July 1 of 1986, the Secretary of Revenue shall allocate for distribution to each county and the municipalities located in the county the amount allocated to that county from taxes levied under G.S. 105-199, 105-200, and 105-205 for the last taxable year in which these taxes were levied, plus or minus a sum that equals the product of this amount and the percentage by which State disposable personal income has increased or decreased during the most recent 12-month period for which State personal income data has been compiled by the Bureau of Economic Analysis of the United States Department of Commerce.

Thereafter, by August 30 of ~~each year, 1987, 1988, 1989, and 1990,~~ the Secretary shall allocate to each county the amount of funds allocated to the county under this section the preceding year, plus or minus a sum that equals the product of this amount and the percentage by which State disposable personal income has increased or decreased during the most recent 12-month period for which State personal income data has been compiled by the Bureau of Economic Analysis of the United States Department of Commerce.

Thereafter, by August 30 of each year, the Secretary shall allocate to each county the amount of funds allocated to the county under this section in 1990.

Amounts allocated to a county under this section shall in turn be divided and distributed between the county and the municipalities located in the county in accordance with the method of allocating intangible tax revenue between a county and the municipalities located in the county provided in G.S. 105-213.

(b) Restrictions on Use. — Amounts distributed to a county or a municipality under this section are subject to the same restrictions as amounts distributed under G.S. 105-213.

(c) Municipality Defined. — As used in this section, the term 'municipality' has the same meaning as in G.S. 105-213.

(d) Source. — Funds distributed under this section shall be drawn from the Local Government Tax Reimbursement Reserve."

(i) G.S. 105-277A(b) reads as rewritten:

"(b) First Per Capita Distribution. — As soon as practicable after January 1 of 1989, the Secretary shall distribute to each taxing unit the unit's per capita share of the sum of fifteen million seven hundred forty-five thousand dollars (\$15,745,000).

Thereafter, as soon as practicable after January 1 of ~~each year 1990 and 1991~~, the Secretary shall distribute to each taxing unit the unit's per capita share of an amount equal to the sum distributed to all taxing units the previous year under this subsection plus or minus the product of the sum distributed the previous year and the percentage by which State personal income has increased or decreased during the most recent 12-month period for which State personal income data has been compiled by the Bureau of Economic Analysis of the United States Department of Commerce.

Thereafter, as soon as practicable after January 1 of each year the Secretary shall distribute to each taxing unit the unit's per capita share of the sum that this subsection provided was to be distributed to all taxing units in 1991.

To make the per capita distributions required by this subsection, the Secretary shall first allocate the sum to be distributed among the counties on a per capita basis. The Secretary shall then compute a per capita distributable amount for each county by dividing the amount allocated to a county by the total population of the county, plus the population of any incorporated towns and cities located in the county. Each taxing unit in a county, including the county itself, shall receive the product of the population of the taxing unit and the per capita distributable amount for that county.

A city or county that receives funds under this subsection and that collects taxes for another taxing unit shall distribute part of the taxes received by it to the taxing unit for which it collects tax. The distribution shall be made on the basis of the proportionate amount of ad valorem taxes levied, for the most recent fiscal year beginning July 1, by the city or county and by all the taxing units for which the city or county collects tax. This distribution shall be made as soon as practicable after a city or county receives funds from the State under this section."

(j) G.S. 105-277A(f) reads as rewritten:

"(f) **Source of Funds.** — ~~The Secretary of Revenue shall To pay for the distribution required by this section and the cost of making the distribution as follows:~~

(1) ~~For the distribution made in 1989, the Secretary shall draw an amount equal to the amount distributed and the cost of making the distribution first from the Inventory Tax Reimbursement Fund created in Section 15.1 of the School Facilities Finance Act of 1987, until it is exhausted, and then the remainder of that amount from collections received by the Department under Division I of Article 4 of this Chapter.~~

(2) ~~For distributions made in subsequent years,~~
distribution, the Secretary shall draw from the Local Government Tax Reimbursement Reserve ~~for the distribution required by this section~~ an amount equal to the amount distributed and the cost of making the distribution."

(k) G.S. 105-277.1A reads as rewritten:

"§ 105-277.1A. **Property classified for taxation at reduced valuation; duties of tax collectors; reimbursement of localities for portion of tax lost.**

(a) ~~On September 1 of each year, 1, 1990,~~ the tax collector of each county and the tax collector of each city shall furnish to the Secretary of Revenue a list containing the name and address of each person who has qualified in that year for the exemption provided in G.S. 105-277.1. The list shall also contain for each name the total amount of property exempted, the tax rate the property is subject to, and the product obtained by multiplying those two numbers by each other. The lists shall be accompanied by an affidavit attesting to the accuracy of the list, and shall all be on a form prescribed by the Secretary of Revenue.

(b) In addition to the list required by subsection (a) of this section, the county or city may provide a supplemental list on December 1.

(c) The Secretary of Revenue may, for cause, grant an extension for the submission of the list required by this section.

(d) After receiving a certified list under subsections (a) through (c) of this section, Before May 31, 1991, the Secretary of Revenue shall, within 60 days, pay shall distribute to the county or city fifty percent (50%) of the total for the entire list of the product obtained by multiplying the tax exemption for each taxpayer times the

applicable tax rate. Each year thereafter, on or before May 31, the Secretary of Revenue shall pay to each county and city that was entitled to receive a distribution under this section in 1991 the amount it was entitled to receive in 1991.

(e) Any funds received by any county or city pursuant to this section because the county or city was collecting taxes for another unit of government or special district shall be credited to the funds of that other unit or district in accordance with regulations issued by the Local Government Commission.

(f) In order to pay for the reimbursement under this section and the cost to the Department of Revenue ~~for of~~ administering the reimbursement, the Secretary of Revenue shall draw from the Local Government Tax Reimbursement Reserve an amount equal to the reimbursement and the cost of administration."

PART 12.-----OFFICE OF THE STATE CONTROLLER

Requested by: Representatives Bowman, N.J. Crawford, Senator Martin of Guilford

-----STATE INFORMATION PROCESSING SYSTEM'S AMENDED RATE SCHEDULE

Sec. 29. The Office of the State Controller shall adopt an amended rate schedule that will reduce rates for the 1991-93 fiscal biennium to agencies for data processing and data processing related services by five percent (5%) below what the same agencies were charged for the 1990-91 fiscal year.

The rates set by this amended rate schedule shall not be increased during the 1991-93 fiscal biennium.

PART 13.-----GENERAL ASSEMBLY

Requested by: Representatives Bowman, N. J. Crawford, Senator Martin of Guilford

-----STUDY COMMISSION ON COMPUTER SERVICES

Sec. 30. (a) There is created a Computer Services Study Commission, an independent commission, to study the organization, management, and cost of State computer services. The Commission shall consist of twelve members. The Speaker of the House of Representatives shall appoint six members, four who shall be members of the House of Representatives and two who shall have a background in and familiarity with information systems or data communications. The President Pro Tempore of the Senate shall appoint six members, four who shall be members of the Senate and two who shall have a background in and familiarity with information systems or data communications. Initial appointments shall be made within 30 days following adjournment of the 1991 Session of the General Assembly for a period of more than 10 days. Members of the Study Commission shall not be employed by, provide consulting services to, or serve on the board of directors or other governing body of any information systems, computer hardware, or telecommunications enterprise currently doing business with the State of North Carolina. Vacancies shall be filled by the official who made the initial appointment using the same criteria as provided by this subsection.

(b) The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each appoint a cochair of the Commission from their appointees. The cochairs shall call the first meeting and preside at alternate meetings.

(c) The Study Commission on Computer Services shall examine the functions, powers, and effectiveness of the Information Technology Commission, the organization and operation of the State Information Processing Service, the processes by which long term plans for computer applications are devised and approved, the policies and practices applied to hardware and software procurement, and such other issues as may, in the judgment of the Commission, relate to the cost of computer usage in State government.

(d) Subject to the approval of the Legislative Services Commission, the professional and clerical staff of the Legislative Services Office shall be available to the Study Commission. Upon request of the Study Commission or its staff, all State

departments and agencies shall furnish to the Study Commission any information in their possession or available to them. The Study Commission may acquire by contract or purchase such other expertise or information as may be necessary to complete its report.

(e) Members of the Study Commission who are also members of the General Assembly shall be paid subsistence and travel expenses at the rate set forth in G.S. 120-3.1. Members of the Study Commission who are officials or employees of the State shall receive travel allowances at the rate set forth in G.S. 138-6. All other members of the Study Commission shall be paid per diem and allowances at the rates set forth in G.S. 138-5.

(f) Of the funds appropriated from the General Fund to the General Assembly, the sum of \$10,000 for the 1991-92 fiscal year and the sum of \$20,000 for the 1992-93 fiscal year shall be allocated for this study.

(g) The Study Commission on Computer Services shall report its findings and recommendations to the General Assembly upon the convening of the 1993 Session.

Requested by: Representatives Bowman, N.J. Crawford, Huffman, Senator Martin of Guilford

-----LEGISLATIVE SERVICES COMMISSION/REVIEW OF METHODS TO ENCOURAGE AND REWARD EMPLOYEE LONGEVITY

Sec. 30.1. The Legislative Services Commission shall review various methods of encouraging and rewarding employee longevity and superior performance.

PART 14.-----PUBLIC SCHOOLS

Requested by: Representatives Payne, Fussell, Barnes, Senators Ward, Warren

-----CONSOLIDATE SCHOOL ADMINISTRATOR ALLOTMENTS

Sec. 31. The State Board of Education shall consolidate the allotment of assistant and associate superintendents and supervisors and shall convert the allotment from a position allotment to a dollar allotment.

Requested by: Representatives Fussell, Payne, Barnes, Senators Ward, Warren

-----DRIVER TRAINING PROGRAM

Sec. 32. (a) G.S. 20-88.1 reads as rewritten:

"§ 20-88.1. Driver ~~training and safety~~ education.

(a) In accordance with criteria and standards approved by the State Board of Education, the State Superintendent of Public Instruction shall organize and administer a program of driver education to be offered at the public high schools of this State for all ~~persons of provisional license age. This program shall be made available to all physically and mentally qualified persons of provisional license age, including public school students, nonpublic school students and out-of-school youths under 18 years of age who~~ (i) are older than 14 years and six months. (ii) are approved by the principal of the school, pursuant to rules adopted by the State Board of Education. (iii) are enrolled in a public or private high school within the State, and (iv) have not previously enrolled in the program. The State Board of Education shall use for such purpose all funds appropriated to it for said purpose, and may use all other funds that become available for its use for said purpose. ~~The drivers' driver~~ education program established pursuant to this section shall include instructions on the rights and privileges of the handicapped and the signs and symbols used to assist the handicapped relative to motor vehicles, including the 'international symbol of accessibility' and other symbols and devices as provided in Article 2A of this Chapter. In addition, this program shall include at least six hours of instruction on the offense of driving while impaired and related subjects.

(b) The State Board of Education shall adopt a salary ~~schedule~~ range for ~~Driver's Education Training Instructors. driver education instructors who are public school employees and who do not hold teacher certificates.~~

Driver education instructors who are public school employees and who hold teacher certificates shall be paid on the teacher salary schedule. A day of employment for driver education instructors who hold teacher certificates shall be the same number of

hours required of all regular classroom teachers as established by the local board of education. No educational degree requirement may be a criterion used in setting salaries. The State Board of Education shall report the salary schedule and criteria developed for a drivers' education program to the 1983 General Assembly, Second Session 1984.

(b1) The State Board of Education shall adopt rules to permit local boards of education to enter contracts with public or private entities to provide a program of driver education at public high schools. All driver education instructors shall meet the requirements established by the State Board of Education; provided, however, driver education instructors shall not be required to hold teacher certificates.

(c) All expenses incurred by the State in carrying out the provisions of this section shall be paid out of the General Highway Fund."

(b) G.S. 115C-215 reads as rewritten:

"§ 115C-215. Instruction in driver training and safety education.

There shall be organized and administered under the general supervision of the Superintendent of Public Instruction a program of driver training and safety education in the public schools of this State, said courses to be noncredit courses taught by instructors approved by the Department of Public Instruction, who meet the requirements established by the State Board of Education. Instructors shall not be required to hold teacher certificates."

(c) G.S. 115C-216 reads as rewritten:

"§ 115C-216. Boards of education required to provide courses in operation of motor vehicles.

(a) Course of Training and Instruction Required in Public High Schools. — The State Board of Education and local boards of education are hereby required to provide as a part of the program of the public high schools in this State a course of training and instruction in the operation of motor vehicles and to make such courses available for all persons of provisional license age, including public school students, non-public school students and out-of-school youths under 18 years of age whose physical and mental qualifications meet license requirements, in conformance with course requirements and funds made available under the provisions of G.S. 20-88.1 or as hereinafter provided or both vehicles, in accordance with G.S. 20-88.1.

(b) Inclusion of Expense in Budget. — The local boards of education of every local school administrative unit are hereby authorized to include as an item of instructional service and as a part of the current expense fund of the budget of the several high schools under their supervision, the expense necessary to install and maintain such a course of training and instructing eligible persons in such schools in the operation of motor vehicles.

(c) Appropriations. — The boards of county commissioners in the several counties of the State and the governing bodies of all municipalities having power to appropriate and raise money by taxation and otherwise are hereby authorized to appropriate funds necessary to pay the expenses necessary to install and maintain in any public high school under their supervision a course of training and instruction for eligible students in such schools in the operation of motor vehicles, whether or not the county board of education or administrative unit shall have included the cost of the same in its budget request when submitted for approval.

(d) How Moneys Appropriated May Be Provided. — The board of county commissioners and the governing bodies of all municipalities having power to appropriate money and to levy taxes and raise money are hereby authorized to allocate and expend the moneys appropriated pursuant to this section or other acts of the General Assembly and the moneys provided by taxation, by sale or rental of any real or personal property owned by such county or other taxing unit, or by use of any surplus funds on hand or acquired from any source, for the purpose of funding any such course of instruction and training in any public high school. The special approval of the General Assembly is hereby given for the levying of taxes for such purpose and for providing funds for such purpose by the other means herein mentioned.

(e) **Content of Course; What Persons Eligible.** — The words "a course of training and instruction for eligible persons in the operation of motor vehicles" as applied to this section means such course of instruction in the operation of motor vehicles prescribed or approved by the Department of Public Instruction, provided that every such course shall include actual operation of motor vehicles by the persons eligible for same, under the supervision of a qualified instructor. Only such persons older than 14 years and six months, who are approved by the principal of the school, shall be eligible for such course of instruction, subject to rules and regulations prescribed by the Department of Public Instruction.

(f) **Acts Ratified and Confirmed.** — The acts of all boards of county commissioners and the governing bodies of all municipalities, the acts of all local boards of education, and the acts of the State Board of Education heretofore done in connection with providing courses of training and instruction in the operation of motor vehicles in this State, including the appropriation and expenditure of funds for such purpose, are hereby ratified and confirmed."

(d) The State Board of Education shall convert the allotments of funds for months of employment for driver education instructors and for loan car fees to dollar allotments. Dollar allotments shall not exceed funds appropriated by the General Assembly for this purpose.

Requested by: Representatives Fussell, Payne, Barnes, Senators Ward, Warren
-----COMMUNITY SCHOOLS FUNDS

Sec. @. The State board of education shall allocate community schools funds on a per county basis. If a county contains more than one local school administrative unit, the community schools funds allotted for the county shall be prorated on the basis of average daily membership to each school unit within a county; provided, that these funds may be combined in a manner agreed upon by all units in the county as the most effective use.

Each county shall receive the same amount that a county school administrative unit received for this purpose for the 1990-91 fiscal year. If community schools funds are not adequate to fund this allocation fully for the 1991-92 fiscal year, the State Board of Education shall use funds from aid to local school administrative units for this purpose.

Requested by: Representatives Payne, Fussell, Barnes, Senators Ward, Warren
-----DROPOUT PREVENTION/IN-SCHOOL SUSPENSION

Sec. 33. Of the funds appropriated to the Department of Public Education for aid to local school administrative units for the Dropout Prevention/In-School Suspension Program, the sum of \$200,000 for each fiscal year of the 1991-93 fiscal biennium may be used to fund eight pilot public/private educational compacts to bring together on an ongoing basis representatives from public education, community colleges, higher education, and business and industry to determine how to improve attendance, prevent dropping out of school, increase academic performance, and increase participation in higher education and the work force by at-risk students. The funds may also be used to fund eight parental involvement pilot programs, and to provide for operating costs, workshops, and committee meetings for the State Department of Public Instruction's dropout prevention staff.

The State Board of Education may adopt rules governing the use of these funds. These funds are to be part of the continuation budget in the next fiscal biennium.

Requested by: Representatives Payne, Fussell, Barnes, Senators Ward, Warren
-----DROPOUT PREVENTION COORDINATORS

Sec. 34. Of the funds appropriated to the Department of Public Education for aid to local school administrative units for dropout prevention, the State Board of Education shall allocate to the Department of Public Instruction up to \$225,000 for the 1991-92 fiscal year and up to \$225,000 for the 1992-93 fiscal year for the three dropout prevention coordinators. The State Superintendent shall assign the dropout prevention coordinators to designated areas within the State and shall develop job

descriptions for them. These funds are to be part of the continuation budget in the next biennium.

Requested by: Representatives Payne, Fussell, Barnes, Senators Ward, Warren
-----PROJECT TEACH FUNDS

Sec. 35. Of the funds appropriated to the Department of Public Education for the 1991-93 fiscal biennium for aid to local school administrative units, the State Board of Education shall allocate to the Department of Public Instruction \$73,000 for the 1991-92 fiscal year and \$73,000 for the 1992-93 fiscal year to be used to:

- (1) Maintain the Project Teach Initiative in the Robeson, Pitt, Cumberland, Warren, Halifax, Guilford, Vance, Northampton, Anson and Bertie County Schools, and the Durham, High Point, and Greensboro City Schools.
- (2) Expand the project in at least two school systems to focus on parents of students in the seventh grade so as to involve parents in the coaching and support of promising minority young people.

These funds are to be part of the continuation budget in the next fiscal biennium.

Requested by: Representatives Payne, Fussell, Barnes, Senators Ward, Warren
-----ADVANCED TRAINING FOR FOREIGN LANGUAGE TEACHERS

Sec. 36. Of the funds appropriated to the Department of Public Education for aid to local school administrative units, the State Board of Education may allocate to the Department of Public Instruction \$300,000 each year of the 1991-93 biennium for two positions, support expenses, and workshops to provide intensive advanced training for teachers who teach foreign languages.

Requested by: Representatives J.W. Crawford, Hardaway, H. Hunter, Fussell, Payne, Barnes, Senators Ward, Warren

-----CONTINUE MODEL TEACHER EDUCATION CONSORTIUM

Sec. 36.1. Of the funds appropriated to the Department of Public Education for the 1991-92 fiscal year for aid to local school administrative units, the State Board of Education shall use \$150,000 for the 1991-92 fiscal year for the model teacher education consortium established in Section 72 of Chapter 752 of the 1989 Session Laws. Of these funds, up to \$30,000 may be used for administrative purposes.

Requested by: Representatives Fussell, Payne, Barnes, Senators Cooper, Ward
-----FUNDING FOR CITY SCHOOL SYSTEMS

Sec. 37. (a) If two or more local school administrative units are consolidated and merged into one unit, the allotments of the following positions shall not be less than those same allotments to the separate units for the first and second full fiscal years of the consolidation and merger and shall be used for the continuation of the positions and programs, except as specifically authorized by the State Board of Education: (i) superintendents, (ii) associate and assistant superintendents, (iii) supervisors, and (iv) maintenance supervisors.

(b) Effective upon ratification of this act, Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-68.1. Merger of units by the board of commissioners.

(a) The board of commissioners of a county in which two or more local school administrative units are located, but all are located wholly within the county, may adopt a plan for the consolidation and merger of the units into a single countywide unit.

The plan adopted under this subsection shall require that the county adopting the plan provide local funding per average daily membership to the resulting local school administrative unit for subsequent years of at least the highest level of any local school administrative unit in the county during the preceding five fiscal years before the merger.

The board of commissioners shall forward a copy of the plan it adopts to the boards of education of all local school administrative units located within the county, immediately upon adoption.

(b) The boards of commissioners of two counties in which one local school administrative unit is located in both counties may jointly adopt plans for each of their counties, including a plan of consolidation and merger for such unit that is located in more than one county. The results of such consolidation and merger shall be that there is only one countywide local school administrative unit in each county, or that the entirety of the unit located within two counties is merged and consolidated with the county unit of one of the two counties. Such plans shall also merge and consolidate any other city school administrative unit located wholly within one of the two counties. Within the two-county area, all the plans shall take effect on the same day.

The plans jointly adopted under this subsection shall require that the counties jointly adopting the plans provide local funding per average daily membership to the resulting local school administrative units for subsequent fiscal years of at least the highest level of any local school administrative unit being merged during the preceding five fiscal years before the merger.

The boards of commissioners of each of the two counties shall forward copies of the plans they adopt to the boards of education of all local school administrative units located within the county, immediately upon adoption.

(c) The plans under this section shall be prepared and approved in accordance with G.S. 115C-67 as provided by general law, or G.S. 115C-68 as provided by general law, as applicable, except that the county and city boards of education shall not participate by preparing, entering into, submitting, or agreeing to a plan, and the plan shall not be contingent upon approval of the voters.

(d) For the purpose of this section, local funding per average daily membership means the budgeted local expense per average daily membership. The State Board of Education shall establish guidelines for the computation of this amount and the amount shall be set out in the plan for consolidation and merger.

(e) If the State Board of Education fails to approve a plan submitted to it under this section, such failure to approve does not preclude the approval of the plan by the General Assembly by local act."

(c) Effective upon ratification of this act, Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-68.2. Merger of units by the local boards of education.

If a city board of education notifies the State Board of Education that it is dissolving itself, the State Board of Education shall adopt a plan of consolidation and merger of that city school administrative unit with the county school administrative unit in the county in which the city unit is located; provided, however, if a city school administrative unit located in more than one county notifies the State Board of Education that it is dissolving itself, the State Board shall adopt a plan that divides the city unit along the county line and consolidates and merges the part of the city unit in each county with the county unit in that county and the plans shall take effect on the same day. The plans shall be prepared and approved in accordance with G.S. 115C-67 as provided by general law, and G.S. 115C-68 as provided by general law, as applicable, except that the county and city boards of education and the boards of commissioners shall not participate by preparing, entering into, submitting, or agreeing to a plan, and the plan shall not be contingent upon approval by the voters."

(d) No liability for any supplemental school tax levied under local act or G.S. 115C-501 to G.S. 115C-511 that attached prior to the date on which a levy is discontinued pursuant to a plan for merger for local school administrative units under G.S. 115C-68.1 or G.S. 115C-68.2 is discharged as a result of the repeal, and no right to a refund of tax that accrued prior to the effective date on which a levy is discontinued may be denied as a result of the repeal.

Sec. 38. The Department of Public Instruction shall implement the Pupil Transportation Program Improvements Implementation Projects authorized by Section 55 of Chapter 752 of the 1989 Session Laws. The Department of Public Instruction may use up to \$400,000 of the funds appropriated for the 1991-92 fiscal year for aid to local school administrative units for pupil transportation in order to replace computer equipment located in the 100 county school bus garages and in the Department of Public Instruction, as required by the State Fleet Vehicle Management System, and for other purposes required for the implementation of the projects authorized by the 1989 Session.

The Department shall report to the Joint Legislative Commission on Governmental Operations in March of 1992 on the implementation of the projects specified in this section.

Requested by: Representatives Fussell, Payne, Barnes, Diamont, Nesbitt, Senators Ward, Warren

-----APPROPRIATION OF FUNDS FROM STATE LITERARY FUND

Sec. 39. There is appropriated from the State Literary Fund to the Department of Public Education the sum of \$2,500,000 for the 1991-92 fiscal year for aid to local school administrative units.

Requested by: Representatives Fussell, Payne, Barnes, Senators Ward, Warren

-----ALLOCATION OF FUNDS FOR MERGED CAREER LADDER PILOT PROJECTS

Sec. 39.1. Any career ladder pilot project in a school unit that has resulted from a merger of school units subsequent to July 1, 1991, may be modified by the local school board, upon the recommendation of the State Superintendent of Public Instruction and with the approval of the State Board of Education. For the fiscal year of the merger through the 1993-94 fiscal year, the merged unit shall receive (i) the amount of funds that was previously allocated to the particular pilot project by the State Board of Education and (ii) the amount of funds it is entitled to receive to administer the School Accountability Act of 1989 pursuant to this act, for the portion of the merged unit that did not participate in the pilot project.

Requested by: Representatives Fussell, Payne, Barnes, Senators Ward, Warren

-----REMOVE LIMITATION ON UNIFORM EDUCATION REPORTING SYSTEM FINES

Sec. 39.2. G.S. 115C-438 reads as rewritten:

"§ 115C-438. Provision for disbursement of State money.

The deposit of money in the State treasury to the credit of local school administrative units shall be made in monthly installments, and additionally as necessary, at such time and in such a manner as may be most convenient for the operation of the public school system. Before an installment is credited, the school finance officer shall certify to the State Board of Education the expenditures to be made by the local school administrative unit from the State Public School Fund during the month. This certification shall be filed on or before the fifth day following the end of the month preceding the period in which the expenditures will be made. The State Board of Education shall determine whether the moneys requisitioned are due the local school administrative unit, and upon determining the amount due, shall cause the requisite amount to be credited to the local school administrative unit. Upon receiving notice from the State Treasurer of the amount placed to the credit of the local school administrative unit, the finance officer may issue State warrants up to the amount so certified.

The State Board of Education may withhold money for payment of salaries for administrative officers of local school administrative units if any report required to be filed with State school authorities is more than 30 days overdue. The State Board of Education shall withhold money for payment of salaries for the superintendent, finance officer, and all other administrative officers charged with providing payroll information pursuant to G.S. 115C-12(18), if the local school administrative unit fails to provide the payroll information to the State Board in a timely fashion and

substantially in accordance with the standards set by the State Board; ~~provided, however, the maximum amount withheld from any local school administrative unit shall be twenty-five thousand dollars (\$25,000).~~ Board.

Money in the State Public School Fund and State bond moneys shall be released only on warrants drawn on the State Treasurer, signed by such local official as may be required by the State Board of Education."

Requested by: Representatives Fussell, Payne, Barnes, Senators Ward, Warren

-----PAYMENT OF TEACHERS IN YEAR-ROUND SCHOOLS

Sec. 39.3. (a) G.S. 115C-302(a) reads as rewritten:

"(a) Teachers shall be paid promptly when their salaries are due provided the legal requirements for their employment and service have been met. All teachers employed by any local school administrative unit who are to be paid from local funds shall be paid promptly as provided by law and as state-allotted teachers are paid.

Teachers paid State funds shall be paid as follows:

- (1) Academic Teachers. — Regular state-allotted teachers shall be employed for a period of 10 calendar months. Salary payments to regular state-allotted teachers shall be made monthly at the end of each calendar month of service: Provided, that teachers employed for a period of 10 calendar months in year-round schools shall be paid in 12 equal installments. ~~Provided, Provided further,~~ that any individual teacher who is not employed in a year-round school may be paid in 12 monthly installments if the teacher so requests on or before the first day of the school year. Such request shall be filed in the local school administrative unit which employs the teacher. The payment of the annual salary in 12 installments instead of 10 shall not increase or decrease said annual salary nor in any other way alter the contract made between the teacher and the said local school administrative unit; nor shall such payment apply to any teacher who is employed for a period of less than 10 months. Included within the 10 calendar months employment shall be annual vacation leave at the same rate provided for State employees, computed at one twelfth (1/12) of the annual rate for State employees for each calendar month of employment; which shall be provided by each local board of education at a time when students are not scheduled to be in regular attendance. Included within the 10 calendar months employment each local board of education shall designate the same or an equivalent number of legal holidays occurring within the period of employment for academic teachers as those designated by the State Personnel Commission for State employees; on a day that employees are required to report for a workday but pupils are not required to attend school due to inclement weather, a teacher may elect not to report due to hazardous travel conditions and to take one of his annual vacation days or to make up the day at a time agreed upon by the employee and his immediate supervisor or principal. Within policy adopted by the State Board of Education, each local board of education shall develop rules and regulations designating what additional portion of the 10 calendar months not devoted to classroom teaching, holidays, or annual leave shall apply to service rendered before the opening of the school term, during the school term, and after the school term and to fix and regulate the duties of state-allotted teachers during said period, but in no event shall the total number of workdays exceed 200 days. Local boards of education shall consult with the employed public school personnel in the development of the 10-calendar-months schedule.
- (2) Occupational Education Teachers. — State-allotted months of employment to local boards of education as provided by the State Board of Education shall be used for the employment of teachers of occupational education for a term of employment as determined by the local boards of

education. Salary payments to these occupational education teachers shall be made monthly at the end of each calendar month of service: Provided, that local boards shall not reduce the term of employment for any vocational agriculture teacher personnel position that was 12 calendar months for the 1982-83 school year for any school year thereafter: Provided further, that teachers employed for a term of 10 calendar months in year-round schools shall be paid in 12 equal installments: ~~Provided,~~ Provided further, that any individual teacher employed for a term of 10 calendar months who is not employed in a year-round school may be paid in 12 monthly installments if the teacher so requests on or before the first day of the school year. Such request shall be filed in the administrative unit which employs the teacher. The payment of the annual salary in 12 installments instead of 10 shall not increase or decrease said annual salary nor in any other way alter the contract made between the teacher and the said administrative unit. Included within their term of employment shall be the same rate of annual vacation leave and legal holidays provided under the same conditions as set out in subdivision (1) above, but in no event shall the total workdays for a 10-month employee exceed 200 days in a 10-month schedule and the workweek shall constitute five days for all occupational teachers regardless of the employment period.

Occupational education teachers who are employed for 11 or 12 months may, with prior approval of the principal, work on annual leave days designated in the school calendar and take those annual leave days during the 11th or 12th month of employment.

No deductions shall be made from salaries of teachers of vocational agriculture and home economics whose salaries are paid in part from State and federal vocational funds while in attendance upon community, county and State meetings called for the specific purpose of promoting the agricultural interests of North Carolina, when such attendance is approved by the superintendent of the administrative unit and the State Director of Vocational Education.

- (3) Notwithstanding any provisions of this section to the contrary no person shall be entitled to pay for any vacation day not earned by that person. The first 10 days of annual vacation leave earned by a teacher during any fiscal year period shall be scheduled to be used in the school calendar adopted by the respective local boards of education. Vacation days shall not be used for extending the term of employment of individuals. Teachers may accumulate annual vacation leave days as follows: annual leave may be accumulated without any applicable maximum until June 30 of each year. On June 30 of each year, any teachers with more than 30 days of accumulated leave shall have the excess accumulation cancelled so that only 30 days are carried forward to July 1 of the same year. All vacation leave taken by the teacher will be upon the authorization of his immediate supervisor and under policies established by the local board of education. An employee shall be paid in a lump sum for accumulated annual leave not to exceed a maximum of 240 hours when separated from service due to resignation, dismissal, reduction in force, death, or service retirement. If the last day of terminal leave falls on the last workday in the month, payment shall be made for the remaining nonworkdays in that month. Employees retiring on disability retirement may exhaust annual leave rather than be paid in a lump sum. The provisions of this subdivision shall be accomplished without additional State and local funds being appropriated for this purpose. The State Board of Education shall adopt rules and regulations for the administration of this subdivision.

- (4) Each local board of education shall sustain any loss by reason of an overpayment to any teacher paid from State funds.
- (5) All of the foregoing provisions of this section shall be subject to the requirement that at least fifty dollars (\$50.00), or other minimum amount required by federal social security laws, of the compensation of each school employee covered by the Teachers' and State Employees' Retirement System or otherwise eligible for social security coverage shall be paid in each of the four quarters of the calendar year.
- (6) The State Board of Education, in fixing the State standard salary schedule of teachers as authorized by law, shall provide that teachers who entered the armed or auxiliary forces of the United States after September 16, 1940, and who left their positions for such service shall be allowed experience increments for the period of such service as though the same had not been interrupted thereby, in the event such persons return to the position of teachers, principals and superintendents in the public schools of the State after having been honorably discharged from the armed or auxiliary forces of the United States."

(b) G.S. 115C-316(a) reads as rewritten:

"(a) School officials and other employees shall be paid promptly when their salaries are due provided the legal requirements for their employment and service have been met. All school officials and other employees employed by any local school administrative unit who are to be paid from local funds shall be paid promptly as provided by law and as state-allotted school officials and other employees are paid.

Public school employees paid from State funds shall be paid as follows:

- (1) Employees Other than Superintendents, Supervisors and Classified Principals on an Annual Basis. — Salary payments to employees other than superintendents, supervisors, and classified principals employed on an annual basis shall be made monthly at the end of each calendar month of service. Included within their term of employment shall be annual vacation leave at the same rate provided for State employees, computed at one-twelfth ($1/12$) of the annual rate for state employees for each calendar month of employment. On a day that employees are required to report for a workday but pupils are not required to attend school due to inclement weather, an employee may elect not to report due to hazardous travel conditions and to take one of his annual vacation days or to make up the day at a time agreed upon by the employee and his immediate supervisor or principal. Included within their term of employment each local board of education shall designate the same or an equivalent number of legal holidays as those designated by the State Personnel Commission for State employees.
- (2) School Employees Paid on an Hourly or Other Basis. — Salary payments to employees other than those covered in G.S. 115C-272(b)(1), 115C-285(a)(1) and (2), 115C-302(a)(1) and (2), and 115C-316(a)(1) shall be made at a time determined by each local board of education. Expenditures for the salary of these employees from State funds shall be within allocations made by the State Board of Education and in accordance with rules and regulations approved by the State Board of Education concerning allocations of State funds: Provided, that school employees employed for a term of 10 calendar months in year-round schools shall be paid in 12 equal installments: Provided, Provided further, that any individual school employee employed for a term of 10 calendar months who is not employed in a year-round school may be paid in 12 monthly installments if the employee so requests on or before the first day of the school year. Such request shall be filed in the administrative unit which employs the employee. The payment of the annual salary in 12 installments instead of 10 shall not increase or decrease said annual salary nor in any other way alter the contract between the

employee and the said administrative unit. Included within the term of employment shall be provided for full-time employees annual vacation leave at the same rate provided for State employees, computed at one-twelfth (1/12) of the annual rate for State employees for each calendar month of employment, to be taken under policies determined by each local board of education. On a day that employees are required to report for a workday but pupils are not required to attend school due to inclement weather, an employee may elect not to report due to hazardous travel conditions and to take one of his annual vacation days or to make up the day at a time agreed upon by the employee and his immediate supervisor or principal. Included within their term of employment, each local board of education shall designate the same or an equivalent number of legal holidays occurring within the period of employment as those designated by the State Personnel Commission for State employees.

- (3) Notwithstanding any provisions of this section to the contrary no person shall be entitled to pay for any vacation day not earned by that person. The first 10 days of annual leave earned by a 10- or 11-month employee during any fiscal year period shall be scheduled to be used in the school calendar adopted by the respective local boards of education. Vacation days shall not be used for extending the term of employment of individuals. Ten- or 11-month employees may accumulate annual vacation leave days as follows: annual leave may be accumulated without any applicable maximum until June 30 of each year. On June 30 of each year, any of these employees with more than 30 days of accumulated leave shall have the excess accumulation cancelled so that only 30 days are carried forward to July 1 of the same year. All vacation leave taken by these employees will be upon the authorization of their immediate supervisor and under policies established by the local board of education. An employee shall be paid in a lump sum for accumulated annual leave not to exceed a maximum of 240 hours when separated from service due to resignation, dismissal, reduction in force, death or service retirement. If the last day of terminal leave falls on the last workday in the month, payment shall be made for the remaining nonworkdays in that month. Employees retiring on disability retirement may exhaust annual leave rather than be paid in a lump sum. The provisions of this subdivision shall be accomplished without additional State and local funds being appropriated for this purpose. The State Board of Education shall adopt rules and regulations for the administration of this subdivision.
- (4) Twelve-month school employees other than superintendents, supervisors and classified principals paid on an hourly or other basis whether paid from State or from local funds may accumulate annual vacation leave days as follows: annual leave may be accumulated without any applicable maximum until June 30 of each year. On June 30 of each year, any employee with more than 30 days of accumulated leave shall have the excess accumulation cancelled so that only 30 days are carried forward to July 1 of the same year. All vacation leave taken by the employee will be upon the authorization of his immediate supervisor and under policies established by the local board of education. An employee shall be paid in a lump sum for accumulated annual leave not to exceed a maximum of 240 hours when separated from service due to resignation, dismissal, reduction in force, death, or service retirement. If the last day of terminal leave falls on the last workday in the month, payment shall be made for the remaining nonworkdays in that month. Employees retiring on disability retirement may exhaust annual leave rather than be paid in a lump sum. The provisions of this subdivision shall be accomplished without additional State and local funds being appropriated for this

- purpose. The State Board of Education shall adopt rules and regulations for the administration of this subdivision.
- (5) All of the foregoing provisions of this section shall be subject to the requirement that at least fifty dollars (\$50.00), or other minimum amount required by federal social security laws, of the compensation of each school employee covered by the Teachers' and State Employees' Retirement System or otherwise eligible for social security coverage shall be paid in each of the four quarters of the calendar year.
 - (6) Each local board of education shall sustain any loss by reason of an overpayment to any school official or other employee paid from State funds.")

PART 15.-----COMMUNITY COLLEGES

Requested by: Representatives Payne, Fussell, Senator Ward

-----MAINTENANCE OF PLANT

Sec. 40. (a) Notwithstanding any provision of law to the contrary, any community college that has an out-of-county student head count served on the main campus of the college in excess of fifty percent (50%) of the total student head count as defined by the State Board of Community Colleges shall be provided funds for the purpose of "operations of plant". These funds shall not exceed eighty-five percent (85%) of the funds allocated to these colleges during the 1990-91 fiscal year for this purpose.

(b) This section becomes effective July 1, 1992.

Requested by: Representatives Payne, Fussell, Senator Ward

-----BUDGET FLEXIBILITY

Sec. 41. The State Board of Community Colleges shall establish budget guidelines that grant to the individual institutions maximum budget flexibility to accomplish the budget reductions assigned to them by the State Board for the 1991-93 fiscal biennium. These guidelines shall allow transfers of all operating funds, except from literacy funds and the Human Resources Development Program, between line items and program areas. These guidelines shall also require that, to the extent possible, reductions shall be taken in administrative costs rather than from instructional costs.

The State Board is not required to make budget reduction allocations on a pro rata basis and may specify various programs for reduction.

The State Board shall require each college to submit a plan assuring a balanced educational program that meets statewide priorities.

The State Board shall report to the Regular 1992 Session of the 1991 General Assembly on these guidelines and on the implementation of these guidelines by each institution.

Requested by: Representatives Payne, Fussell, Senator Ward

-----OPERATING APPROPRIATIONS/NOT USED FOR RECREATION EXTENSION

Sec. 42. Funds appropriated in the 1991-93 fiscal biennium to the Department of Community Colleges as operating expenses for allocation to the institutions comprising the Community College System shall not be used to support recreation extension courses. The financing of these courses by any institution shall be on a self-supporting basis, and membership hours produced from these activities shall not be counted when computing full-time equivalent students for use in budget-funding formulas at the State level.

Requested by: Representatives Payne, Fussell, Senator Ward

-----FULL-TIME EQUIVALENT TEACHING POSITIONS/COMMUNITY COLLEGES

Sec. 43. For the purpose of determining the community college system-wide number of full-time equivalent (FTE) teaching positions each year, the total curriculum full-time equivalent student enrollment shall be divided by the appropriate

number for each year of the 1991-93 fiscal biennium pursuant to funds appropriated in this act for this purpose. The occupational extension full-time equivalent student enrollment shall be divided by 23 for the 1991-92 fiscal year and by 23 for the 1992-93 fiscal year.

Requested by: Representatives Payne, Fussell, Senator Ward

-----TUITION/PUBLIC SCHOOL STUDENTS TAKING COMMUNITY COLLEGE COURSES

Sec. 44. G.S. 115D-5(b) reads as rewritten:

"(b) In order to make instruction as accessible as possible to all citizens, the teaching of curricular courses and of noncurricular extension courses at convenient locations away from institution campuses as well as on campuses is authorized and shall be encouraged. A pro rata portion of the established regular tuition rate charged a full-time student shall be charged a part-time student taking any curriculum course. In lieu of any tuition charge, the State Board of Community Colleges shall establish a uniform registration fee, or a schedule of uniform registration fees, to be charged students enrolling in extension courses for which instruction is financed primarily from State funds; provided, however, that the State Board of Community Colleges may provide by general and uniform regulations for waiver of tuition and registration fees for persons not enrolled in elementary or secondary schools taking courses leading to a high school diploma or equivalent certificate, for training courses for volunteer firemen, local fire department personnel, volunteer rescue and lifesaving department personnel, local rescue and lifesaving department personnel, Radio Emergency Associated Citizens Team (REACT) members when the REACT team is under contract to a county as an emergency response agency, local law-enforcement officers, patients in State alcoholic rehabilitation centers, all full-time custodial employees of the Department of Correction, employees of the Department of Correction's Division of Adult Probation and Parole and employees of the Division of Youth Services of the Department of Human Resources required to be certified pursuant to Chapter 17C of the General Statutes and the rules of the Criminal Justice and Training Standards Commission, trainees enrolled in courses conducted under the New and Expanding Industry Program, clients of sheltered workshops, clients of adult developmental activity programs, students in Human Resources Development Programs, juveniles of any age committed to the Division of Youth Services of the Department of Human Resources by a court of competent jurisdiction, and prison inmates. Provided further, tuition shall be waived for senior citizens attending institutions operating pursuant to this Chapter as set forth in Chapter 115B of the General Statutes, Tuition Waiver for Senior Citizens. Provided further, tuition shall also be waived for all courses taken by high school students at community colleges in accordance with G.S. 115D-20(4) and this section."

Requested by: Representatives Payne, Fussell, Senator Ward

-----BOOKS AND EQUIPMENT APPROPRIATIONS/REVERT AFTER ONE YEAR

Sec. 45. Appropriations to the Department of Community Colleges for equipment and library books are made for each year of the fiscal biennium. All unencumbered appropriations shall revert to the General Fund 12 months after the close of each fiscal year for which they were appropriated. Encumbered balances outstanding at the end of each period shall be handled in accordance with existing State Budget policies. The Department shall be able to identify to the Office of State Budget and Management which appropriations will revert at the end of the 12 months after the close of each fiscal year.

Requested by: Representatives Payne, Fussell, Senator Ward

-----"TECH PREP" IMPLEMENTATION

Sec. 46. Of the funds available to the Department of Public Education for vocational education, \$50,000 for the 1991-92 fiscal year and \$50,000 for the 1992-93 fiscal year, shall be allocated to the North Carolina Tech Prep Leadership

Development Center at Richmond Community College for assistance to local education agencies and community colleges in planning and implementing "Tech Prep" across the State. The Department of Community Colleges shall allocate \$50,000 each year from funds available to it for the 1991-92 fiscal year and for the 1992-93 fiscal year for the North Carolina "Tech Prep" Leadership Development Center at Richmond Community College.

Requested by: Representatives Payne, Fussell, Senator Ward

-----ASSISTANCE TO HOSPITAL NURSING/FUND DISTRIBUTION

Sec. 47. (a) Funds appropriated in this Title to the Department of Community Colleges to provide financial assistance to hospital programs of nursing education leading to diplomas in nursing that are fully accredited by the North Carolina Board of Nursing and operated under the authority of a public or nonprofit hospital licensed by the North Carolina Medical Care Commission shall be distributed, upon application for financial assistance, for each full-time student duly enrolled in the program as of December 1, 1990, and on condition that accreditation is maintained. The amount per student shall not exceed \$850. The State Board of Community Colleges shall adopt rules to ensure that this financial assistance is used directly for faculty and instructional needs of diploma nursing programs.

(b) This section expires June 30, 1992.

Requested by: Representative Nesbitt

-----STATE DEFENSE MILITIA EXEMPT FROM COMMUNITY COLLEGE TUITION AND FEES

Sec. 48. G.S. 115D-5(b) reads as rewritten:

"(b) In order to make instruction as accessible as possible to all citizens, the teaching of curricular courses and of noncurricular extension courses at convenient locations away from institution campuses as well as on campuses is authorized and shall be encouraged. A pro rata portion of the established regular tuition rate charged a full-time student shall be charged a part-time student taking any curriculum course. In lieu of any tuition charge, the State Board of Community Colleges shall establish a uniform registration fee, or a schedule of uniform registration fees, to be charged students enrolling in extension courses for which instruction is financed primarily from State funds; provided, however, that the State Board of Community Colleges may provide by general and uniform regulations for waiver of tuition and registration fees for persons not enrolled in elementary or secondary schools taking courses leading to a high school diploma or equivalent certificate, for training courses for volunteer firemen, local fire department personnel, volunteer rescue and lifesaving department personnel, local rescue and lifesaving department personnel, Radio Emergency Associated Citizens Team (REACT) members when the REACT team is under contract to a county as an emergency response agency, local law-enforcement officers, patients in State alcoholic rehabilitation centers, all full-time custodial employees of the Department of Correction, employees of the Department's Division of Adult Probation and Parole and employees of the Division of Youth Services of the Department of Human Resources required to be certified pursuant to Chapter 17C of the General Statutes and the rules of the Criminal Justice and Training Standards Commission, trainees enrolled in courses conducted under the New and Expanding Industry Program, clients of sheltered workshops, clients of adult developmental activity programs, students in Human Resources Development Programs, juveniles of any age committed to the Division of Youth Services of the Department of Human Resources by a court of competent jurisdiction, ~~and prison inmates, prison inmates, and members of the North Carolina State Defense Militia as defined in G.S. 127A-5 and as administered pursuant to Article 5 of Chapter 127A of the General Statutes.~~ Provided further, tuition shall be waived for senior citizens attending institutions operating pursuant to this Chapter as set forth in Chapter 115B of the General Statutes, Tuition Waiver for Senior Citizens."

PART 16.-----COLLEGES AND UNIVERSITIES

Requested by: Representatives Payne, Fussell, Senator Ward

-----TEACHING HOSPITAL REIMBURSEMENT

Sec. 49. Reimbursement to Pitt County Memorial Hospital for uncompensated care provided to non-Pitt County residents admitted by East Carolina Medical School faculty shall be limited to the unreimbursed portion of actual costs as determined in the Medicare Cost Report.

Requested by: Representatives Payne, Fussell, Senator Ward

-----AID TO PRIVATE COLLEGES/LEGISLATIVE TUITION GRANT LIMITATIONS

Sec. 50. (a) The amount of a tuition grant awarded to a student enrolled in a degree program at a site away from the main campus of the approved private institution, as defined in G.S. 116-22(1), may be no more than the result of the ratio of the cost per credit hour for off-campus instruction at that site to the cost per credit hour for regular, full-time on-campus instruction, multiplied by the maximum grant award, or the maximum grant award allowable under Section 51(b) of this Title, whichever is less.

(b) No Legislative Tuition Grant funds may be expended for a program at an off-campus site of a private institution, as defined in G.S. 116-22(1), established after May 15, 1987, unless (i) the private institution offering the program has previously notified and secured agreement from other private institutions operating degree programs in the county in which the off-campus program is located or operating in the counties adjacent to that county or (ii) the degree program is neither available nor planned in the county with the off-campus site or in the counties adjacent to that county.

An "off-campus program" is any program offered for degree credit away from the institution's main, permanent campus.

(c) Any member of the armed services as defined in G.S. 116-143.3(a), abiding in this State incident to active military duty, who does not qualify as a resident for tuition purposes as defined under G.S. 116-143.1, is eligible for a Legislative Tuition Grant pursuant to this section if the member is enrolled as a full-time student. The member's Legislative Tuition Grant may not exceed the cost of tuition less any tuition assistance paid by the member's employer.

Requested by: Representatives Payne, Fussell, Senator Ward

-----AID TO PRIVATE COLLEGES/PROCEDURE

Sec. 51. (a) Funds appropriated in this Title to the Board of Governors of The University of North Carolina for aid to private colleges shall be disbursed in accordance with the provisions of G.S. 116-19, 116-21, and 116-22. These funds shall provide up to \$450.00 per full-time equivalent North Carolina undergraduate student enrolled at a private institution as of October 1 each year.

These funds shall be placed in a separate, identifiable account in each eligible institution's budget or chart of accounts. All funds in this account shall be provided as scholarship funds for needy North Carolina students during the fiscal year. Each student awarded a scholarship from this account shall be notified of the source of the funds and of the amount of the award. Funds not utilized under G.S. 116-19 shall be made available for the tuition grant program as defined in subsection (b) of this section.

(b) In addition to any funds appropriated pursuant to G.S. 116-19 and in addition to all other financial assistance made available to private educational institutions located within the State, or to students attending these institutions, there is granted to each full-time North Carolina undergraduate student attending an approved institution as defined in G.S. 116-22, a sum, not to exceed \$1,150 per academic year, which shall be distributed to the student as hereinafter provided.

The tuition grants provided for in this section shall be administered by the State Education Assistance Authority pursuant to rules adopted by the State Education

Assistance Authority not inconsistent with this section. The State Education Assistance Authority may not approve any grant until it receives proper certification from an approved institution that the student applying for the grant is an eligible student. Upon receipt of the certification, the State Education Assistance Authority shall remit at such times as it shall prescribe the grant to the approved institution on behalf, and to the credit, of the student.

In the event a student on whose behalf a grant has been paid is not enrolled and carrying a minimum academic load as of October 1 of the first academic term or on the tenth classroom day following the beginning of the second school term for which the grant was paid, the institution shall refund the full amount of the grant to the State Education Assistance Authority. Each approved institution shall be subject to examination by the State Auditor for the purpose of determining whether the institution has properly certified eligibility and enrollment of students and credited grants paid on the behalf of the students.

In the event there are not sufficient funds to provide each eligible student with a full grant:

- (1) The Board of Governors of The University of North Carolina, with the approval of the Office of State Budget and Management, may transfer available funds to meet the needs of the programs provided by subsections (a) and (b) of this section; and
- (2) Each eligible student shall receive a pro rata share of funds then available for the remainder of the academic year within the fiscal period covered by the current appropriation.

Any remaining funds shall revert to the General Fund.

(c) Expenditures made pursuant to this section may be used only for secular educational purposes at nonprofit institutions of higher learning.

Requested by: Representatives Payne, Fussell, Senator Ward

-----WAKE FOREST AND DUKE MEDICAL SCHOOL ASSISTANCE/FUNDING FORMULAE

Sec. 52. Funds appropriated in this Title to the Board of Governors of The University of North Carolina for continuation of financial assistance to the medical schools of Duke University and Wake Forest University shall be disbursed on certifications of the respective schools of medicine that show the number of North Carolina residents as first-year, second-year, third-year, and fourth-year students in the medical school as of November 1, 1991, and November 1, 1992. Disbursement to Wake Forest University shall be made in the amount of \$8,000 for each medical student who is a North Carolina resident, \$1,000 of which shall be placed by the school in a fund to be used to provide financial aid to needy North Carolina students who are enrolled in the medical school. The maximum aid given to any student from this fund in a given year may not exceed the amount of the difference in tuition and academic fees charged by the school and those charged at the School of Medicine at the University of North Carolina at Chapel Hill.

Disbursement to Duke University shall be made in the amount of \$5,000 for each medical student who is a North Carolina resident, \$500.00 of which shall be placed by the school in a fund to be used to provide student financial aid to financially needy North Carolina students who are enrolled in the medical school. No individual student may be awarded assistance from this fund in excess of \$2,000 each year. In addition to this basic disbursement for each year of the biennium, a disbursement of \$1,000 shall be made for each medical student who is a North Carolina resident in the first-year, second-year, third-year, and fourth-year classes to the extent that enrollment of each of those classes exceeds 30 North Carolina students.

The Board of Governors shall establish the criteria for determining the eligibility for financial aid of needy North Carolina students who are enrolled in the medical schools and shall review the grants or awards to eligible students. The Board of Governors shall adopt rules for determining which students are residents of North Carolina for the purposes of these programs. The Board of Governors shall also

make any regulations as necessary to ensure that these funds are used directly for instruction in the medical programs of the schools and not for religious or other non-public purposes. The Board of Governors shall encourage the two schools to orient students towards personal health care in North Carolina giving special emphasis to family and community medicine.

Requested by: Representatives Payne, Fussell

-----UNC BUDGETARY CHANGES

Sec. 54. The Board of Governors of The University of North Carolina shall make the following change in all future budget presentations to the General Assembly and in the 1991-93 budget certification to the constituent institutions of The University of North Carolina:

The existing budget purposes or programs of State Administration, State-Subject Matter, State Information, County Supervision, and County Program Operation with the North Carolina Agricultural Extension Service budget code shall be consolidated into the budget purposes or programs entitled State Administration, State Program Operations, and County Program Operations.

Requested by: Representatives Payne, Fussell

-----UNC BOARD OF GOVERNORS/STATE BOARD OF COMMUNITY COLLEGES SMALL BUSINESS MEMORANDUM OF AGREEMENT

Sec. 55. The Board of Governors of The University of North Carolina and the State Board of Community Colleges shall develop and implement a new Memorandum of Agreement between the Small Business and Technology Development Centers Program (SBTDC) in The University of North Carolina and the Small Business Assistance Centers in the Community Colleges system. This Memorandum of Agreement shall:

- (1) Refine existing agreements to increase coordination of services, to provide for referral and client tracking between the systems, and to define the types of service to be provided by each entity;
- (2) Provide for subcontractors when necessary or reasonable for the provision of services, including the use of federal funds to provide services;
- (3) Require definitive working agreements at the local level in those counties or municipal areas where more than one State-funded entity provides services to small businesses. These defined working agreements shall include:
 - a. Efforts to consolidate office space and support services where feasible;
 - b. Referral and client tracking systems; and
 - c. Coordination of program and service delivery efforts; and
- (4) Provide for joint annual reports on these efforts.

The Board of Governors of The University of North Carolina and the State Board of Community Colleges shall approve the Memorandum of Agreement and report the results of their efforts and the impact of the working agreements on operations and cost to the Joint Legislative Commission on Governmental Operations and to the General Assembly by March 31, 1992.

Requested by: Representatives Payne, Fussell

-----UNC BOARD OF GOVERNORS PREVENTION OF DUPLICATIVE ECONOMIC DEVELOPMENT EFFORTS

Sec. 56. The Board of Governors of The University of North Carolina shall address the issue of duplicative economic development efforts within The University of North Carolina. To achieve this, the Board shall:

- (1) Reallocate the funds for Northeastern North Carolina Tomorrow (E.C.S.U.), Western North Carolina Tomorrow (W.C.U.), the Regional Development Institute (ECU), The Economic Development Office (PSU), and the Urban Development Institute (UNC-C), pulled out

of the individual campuses and provided to the Board in this act, after the funding reduction required by this act, to achieve consolidation of services and after:

- a. Ensuring that the efforts of these offices are consistent with the Small Business and Technology Development Centers Program (SBTDC) efforts and may be used to match federal funds, including additional federal funds that may become available. The Board shall, when practical, consolidate these offices into the SBTDC network while ensuring that regional development services not provided by the SBTDC network are available to each region. The Board shall make every effort to maximize the use of any additional federal funds to lessen the impact of State budget reductions in these programs; and
- b. Requiring the Small Business and Technology Development Centers Program (SBTDC) to provide those direct services to small businesses previously offered by the Department of Economic and Community Development, including purchaser/supplier conferences and the small business clearinghouse.

The Board shall report the results of its consolidation and coordination of economic development activities including the allocation of funds, to the General Assembly and the House and Senate Appropriations Subcommittees on Education by March 31, 1992.

Requested by: Representative Nesbitt

-----OBSTETRICAL EDUCATION FUNDS

Sec. 57. Funds in the amount of \$480,000 appropriated to the Division of Maternal and Child Health, Department of Environment, Health, and Natural Resources in this Title for the Obstetrical Education Program of the Mountain Area Health Education Center (MAHEC) are hereby transferred to the Area Health Education Centers budget of the Board of Governors of The University of North Carolina. The funds transferred by this section shall be used for the MAHEC Obstetrical Education Program.

Requested by: Senators Ward, Conder

-----COMMUNITY SERVICES REDUCTIONS LIMITATION/INSTITUTE OF GOVERNMENT PROGRAMS

Sec. 57.1. None of the reductions made by this act in the community services budgets of The University of North Carolina shall be taken in the programs of the Institute of Government at Chapel Hill.

Requested by: Representative Hackney, Senator Basnight

-----CHINQUA-PENN PLANTATION PLAN

Sec. 57.2. The Board of Governors of the University of North Carolina, in conjunction with the Department of Cultural resources, shall prepare a plan for the future use and management or disposition of Chinqua-Penn Plantation. The board shall present this plan to the 1991 General Assembly by April 15, 1992. For the 1991-92 fiscal year, North Carolina State University at Raleigh may make agreements with local governments, private entities, or other agencies for the operation of Chinqua-Penn Plantation. Funds appropriated to North Carolina State University at Raleigh in the amount of \$60,000 may be used in conjunction with such an agreement.

PART 17.-----DEPARTMENT OF TRANSPORTATION

Requested by: Representatives Anderson, McLaughlin, Holt, Senator Goldston

-----MOWING ROAD SHOULDERS

Sec. 58. The Board of Transportation shall review its policy of requiring private contractors to mow the State highway system. The Board shall look at the comparative costs between mowing with State forces versus private contractors. The Board

shall explore the costs of returning mowing work, especially of secondary roads, to the 14 Highway Divisions. This study shall also consider the savings derived from reducing the width of the shoulder to be mowed. A report of the Board's findings shall be submitted to the House Appropriations Subcommittee on Transportation, to the Senate Appropriations Committee on Natural and Economic Resources, and to the Fiscal Research Division 30 days prior to the scheduled convening date of the 1992 Session of the General Assembly. Until a report is made to the 1992 Session, the Board of Transportation shall award mowing contracts of no more than one year in duration.

Requested by: Representatives McLaughlin, Holt, Senator Goldston

-----DOT PERSONNEL ACTIONS REPORTED

Sec. 59. The Department of Transportation shall submit a list of personnel actions every six months to the Joint Legislative Highway Oversight Committee and to the Fiscal Research Division. This list shall include positions reallocated, reclassified, abolished, and created. The report shall give the status of the Department's salary reserves and how they were used during the reporting period.

Requested by: Representatives McLaughlin, Holt, Senator Goldston

-----PLAN TO REDUCE LABOR VARIANCE

Sec. 60. The Department of Transportation shall submit to the House Appropriations Subcommittee on Transportation and the Senate Appropriations Committee on Natural and Economic Resources during the 1992 Session of the General Assembly, a plan to reduce labor variance in highway planning and design from the current nineteen and two-tenths percent (19.2%) to the pre-Trust Fund 1985 level of ten and six-tenths percent (10.6%). The Plan shall list all activities that are charged to labor variance and the reasons why the work has not been assigned to job orders.

Requested by: Representatives McLaughlin, Holt, Senator Goldston

-----PERFORMANCE AUDIT COMPARING COST OF ENGINEERING SERVICES BETWEEN DEPARTMENT OF TRANSPORTATION AND PRIVATE ENGINEERING FIRMS

Sec. 61. The State Auditor shall conduct a performance audit comparing the cost, quality, and timeliness of engineering services provided by outside consultants versus Department of Transportation personnel. This audit shall include an analysis of overhead costs, labor variance, the impact of newly hired employees or Department of Transportation efficiency and the cost of supervising consultants. The State Auditor shall report his findings, by April 1, 1992, to the Chairmen of the Senate and House Appropriations Committees, the Chairmen of the House Appropriations Subcommittee on Transportation, and the Chairman of the Senate Appropriations Committee on Natural and Economic resources.

Requested by: Representatives McLaughlin, Holt, Senator Goldston

-----REDUCTION OF HIGHWAY TRUST FUND REVENUE USED FOR ADMINISTRATIVE EXPENSES

Sec. 62. G.S. 136-176(b) reads as rewritten:

"(b) Funds in the Trust Fund are annually appropriated to the Department of Transportation to be allocated and used as provided in this subsection. A sum, not to exceed five percent (5%) four and one-half percent (4.5%) of the amount of revenue deposited in the Trust Fund under subdivisions (a)(1), (2), and (3) of this section, may be used each fiscal year by the Department for expenses to administer the Trust Fund. The rest of the funds in the Trust Fund shall be allocated and used as follows:

- (1) Sixty-one and ninety-five hundredths percent (61.95%) to plan, design, and construct the projects of the Intrastate System described in G.S. 136-179.
- (2) Twenty-five and five hundredths percent (25.05%) to plan, design, and construct the urban loops described in G.S. 136-180.

- (3) Six and one-half percent (6.5%) to supplement the appropriation to cities for city streets under G.S. 136-181.
- (4) Six and one-half percent (6.5%) for secondary road construction as provided in G.S. 136-182."

Requested by: Representatives McLaughlin, Holt, Senator Goldston

-----BRANCH AGENT TRANSACTION RATE

Sec. 63. The Division of Motor Vehicles of the Department of Transportation shall compensate a contractor with whom it has a contract under G.S. 20-63(h) at the rate of ninety-two cents (92 ¢) for each transaction performed in accordance with the requirements set by the Division. A transaction is any of the following activities:

- (1) Issuance of a registration plate, a registration card, a registration renewal sticker, or a certificate of title.
- (2) Issuance of a handicapped placard or handicapped identification card.
- (3) Acceptance of an application for a personalized registration plate.
- (4) Acceptance of a surrendered registration plate, registration card, or registration renewal sticker, or acceptance of an affidavit stating why a person cannot surrender a registration plate, registration card, or registration renewal sticker.
- (5) Cancellation of a title because the vehicle has been junked.
- (6) Acceptance of an application for, or issuance of, a refund for a fee or a tax, other than the highway use tax.
- (7) Receipt of the civil penalty imposed by G.S. 20-309 for a lapse in financial responsibility or receipt of the restoration fee imposed by that statute.
- (8) Acceptance of a notice of failure to maintain financial responsibility for a motor vehicle.
- (9) Collection of the highway use tax.

Performance at the same time of any combination of the items that are listed within each subdivision or are listed within subdivisions (1) through (8) is a single transaction. Performance of the item listed in subdivision (9) in combination with any other items listed in this section is a separate transaction.

Requested by: Representatives McLaughlin, Holt, Senator Goldston

-----BIDS FOR COMPUTER SERVICES

Sec. 64. In requests for bids, requests for quotes, requests for proposals, or other procurement actions issued through the Department of Administration, Division of Purchase and Contract, or through any other State agency, for vendors to develop a strategic plan, conduct a feasibility study, or prepare a needs assessment for a computer system, information system, data communications network, data processing application, or other information technology application, there shall be a provision that reads as follows:

"Eligibility for Future Requirements: The successful offeror on this project will not be considered for an award on subsequent hardware, software, software support, and related procurements which are based on specifications or recommendations resulting from this procurement."

The Division of Purchase and Contract and the State agency or agencies involved in the procurement may delete this provision in a procurement request by jointly (i) filing a written request with the Director of the Budget for authorization to delete this provision from the procurement effort, (ii) sending a copy of this written request for authorization to the Director of the Fiscal Research Division at the time it is filed with the Office of State Budget, (iii) receiving written authorization to delete the provision from the Director of the Budget, and (iv) reporting the authorization, if it is granted, to the Director of the Fiscal Research Division and to the next meeting of the Joint Legislative Commission on Governmental Operations.

Requested by: Representatives McLaughlin, Holt, Bowie, Senator Goldston
 -----NORTH CAROLINA RAILROAD DIVIDENDS APPROPRIATED TO
 THE HIGHWAY FUND FOR RAILROAD PURPOSES

Sec. 65. G.S. 136-16.6 reads as rewritten:

"§ 136-16.6. Continuing rail appropriations.

There is annually ~~appropriated, beginning with the 1987-88 fiscal year, from the General Fund to the Department of Transportation for rail purposes the greater of one hundred thousand dollars (\$100,000) or appropriated one hundred percent (100%) of the annual dividends received in the prior fiscal year (less any amounts that are required by Section 13.18 of Chapter 792, Session Laws of 1985 to be paid for the expenses of the Railroad Negotiating Commission)~~ by the State from its ownership of stock in the North Carolina Railroad Company and the Atlantic and North Carolina Railroad Company. Company to the Highway Fund for use by the Department of Transportation for railroad purposes."

Requested by: Representatives McLaughlin, Holt, Senator Goldston
 -----TRANSFER OF FUNDS FROM THE EQUIPMENT FUND

Sec. 66. The Department of Transportation's Equipment Fund shall pay to the Highway Fund \$5,000,000 for the 1991-92 fiscal year and \$5,000,000 for the 1992-93 fiscal year. These funds shall be used for highway maintenance.

Requested by: Representatives McLaughlin, Holt, Senator Goldston
 -----HIGHWAY FUND ALLOCATIONS BY CONTROLLER

Sec. 66.1. The Controller of the Department of Transportation shall allocate at the beginning of each fiscal year from the various appropriations made to the Department of Transportation in this act, Titles:

State Construction
 State Funds to Match Federal Highway Aid
 State Maintenance
 Ferry Operations,

sufficient funds to eliminate all overdrafts on State maintenance and construction projects, and these allocations may not be diverted to other purposes.

Requested by: Representatives McLaughlin, Holt, Senator Goldston
 -----CASH FLOW HIGHWAY FUND AND HIGHWAY TRUST FUND
 APPROPRIATIONS

Sec. 66.2. The General Assembly authorizes and certifies anticipated revenues of the Highway Fund as follows:

For Fiscal Year 1993-94	\$971,000,000
For Fiscal Year 1994-95	\$990,000,000.

Sec. 66.3. The General Assembly authorizes and certifies anticipated revenues of the Highway Trust Fund as follows:

For Fiscal Year 1993-94	\$394,900,000
For Fiscal Year 1994-95	\$402,800,000.

Requested by: Representatives McLaughlin, Holt, Senator Goldston
 -----HIGHWAY FUND LIMITATIONS ON OVEREXPENDITURES

Sec. 66.4. (a) Overexpenditures from Section 4 of this act may be made by authorization of the Director of the Budget, Titles:

State Construction Primary Construction
 State Construction Urban Construction
 State Construction Access and Public Service Roads
 State Funds to Match Federal Highway Aid
 State Maintenance
 Ferry Operations,

provided that there are corresponding underexpenditures from these same Titles. Overexpenditures or underexpenditures in any Titles may not vary by more than ten percent (10%) without prior consultation with the Advisory Budget Commission.

Written reports covering overexpenditures or underexpenditures of more than ten percent (10%) shall be made to the Joint Legislative Highway Oversight Committee. The reports shall be delivered to the Director of the Fiscal Research Division not less than 96 hours prior to the beginning of the Committee's full meeting.

(b) Overexpenditures from Section 4 of this act, Titles:

State Construction Primary Construction

State Construction Urban Construction

State Construction Access and Public Service Roads

State Funds to Match Federal Highway Aid

State Maintenance

Ferry Operations,

for the purpose of providing additional positions shall be approved by the Director of the Budget and shall be reported on a quarterly basis to the Joint Legislative Highway Oversight Committee and to the Fiscal Research Division.

Requested by: Representatives McLaughlin, Holt, Senator Goldston

-----RESURFACED ROADS MAY BE WIDENED

Sec. 66.5. Of the contract maintenance resurfacing program funds appropriated in this act to the Department of Transportation, an amount not to exceed fifteen percent (15%) of the Board of Transportation's allocation of these funds may be used for widening existing narrow pavements that are scheduled for resurfacing. The Department of Transportation shall report on the use of these funds to the Joint Legislative Highway Oversight Committee and the Fiscal Research Division by May 15, 1992.

Requested by: Representatives McLaughlin, Holt, Senator Goldston

-----SMALL URBAN CONSTRUCTION PROGRAM FUNDS

Sec. 66.6. Of the funds appropriated in this Title to the Department of Transportation, \$10,805,664 shall be allocated in the 1991-92 fiscal year and \$10,028,266 in the 1992-93 fiscal year for small urban construction projects. \$7,000,000 of these funds shall be allocated equally in each fiscal year of the biennium among the 14 Highway Divisions for the small Urban Construction program for small urban construction projects that are located within the area covered by a one-mile radius of the municipal corporate limits. Of the remaining funds, \$3,805,664 for the 1991-92 fiscal year and \$3,028,266 for the 1992-93 fiscal year shall be used statewide for rural or small urban highway improvements as approved by the Secretary of the Department of Transportation.

None of these funds used for rural secondary road construction are subject to the county allocation formula as provided in G.S. 136-44.5.

The Department of Transportation shall report to the members of the General Assembly on projects funded pursuant to this section in each member's district prior to the Board of Transportation's action. The Department shall make a quarterly comprehensive report on the use of these funds to the Joint Legislative Highway Oversight Committee and the Fiscal Research Division.

Requested by: Representatives McLaughlin, Holt, Senator Goldston

-----HIGHWAY FUND ADJUSTMENTS TO REFLECT ACTUAL REVENUE

Sec. 66.7. Any unreserved credit balance in the Highway Fund on June 30 of each of the fiscal years of this biennium shall support appropriations in the succeeding fiscal year. If all of the balance is not needed for these appropriations, the Director of the Budget may use the remaining excess to establish a reserve for access and public roads, a reserve for unforeseen happening of a state of affairs requiring prompt action as provided by G.S. 136-44.1, and other required reserves. Actual revenue in excess of estimated revenue shall be placed in the reserve for highway maintenance. If all of the remaining excess is not used to establish these reserves, the remainder shall be allocated to the State-funded maintenance appropriations in the manner approved by the Board of Transportation. The Board of Transportation shall report

monthly to the Joint Legislative Highway Oversight Committee and the Fiscal Research Division about the use of the reserve for highway maintenance.

Requested by: Senator Plyler

-----SIGNING OF STATE-MAINTAINED COUNTY ROADS

Sec. 66.8. \$500,000 of the funds to be allocated pursuant to G.S. 136-44.2A for secondary road construction during the 1991-92 fiscal year shall be exempt from the county formula allocation in G.S. 136-44.5. The Department of Transportation shall utilize the funds so excluded for the county road name-signing program in the 30 counties where signing has not already been funded.

PART 18.-----DEPARTMENT OF CORRECTION

Requested by: Representatives Anderson, Redwine, Senator Marvin

-----PRIVATE CONFINEMENT FACILITIES

Sec. 67. No for-profit, privately owned or operated confinement facilities may be added to the State prison system unless approved by the General Assembly. The State may contract with private, nonprofit firms to provide or operate work and study release centers for women and for youth.

Requested by: Representatives Anderson, Redwine, Senator Marvin

-----NEGOTIATED RATES FOR MEDICAL SERVICES

Sec. 68. The Department of Correction shall negotiate for rates as close to Medicaid rates as possible for all medical services rendered to that Department by providers who are not State employees. The Department shall report the results of its negotiations to the Chairmen of the Senate Appropriations Committee and the Senate Base Budget Appropriations Committee, the Chairmen of the House Appropriations Committee, and the Chairmen of the Senate and the House Appropriations Committees on Justice and Public Safety prior to March 15, 1992.

Requested by: Representatives Anderson, Redwine, Senator Marvin

-----LIMIT USE OF OPERATIONAL FUNDS

Sec. 69. Funds appropriated in this Title to the Department of Correction for operational costs for additional facilities shall be used for the personnel and operating expenses set forth in the budget approved by the General Assembly in this act. These funds may not be expended for any other purpose, and may not be expended for additional prison personnel positions until the new facilities are within 90 days of completion, except as authorized for the facilities at Nash, Pender, South Mountain, and Brown Creek.

Requested by: Representatives Anderson, Redwine

-----INMATE REPRESENTATION STUDY

Sec. 70. The Joint Legislative Commission on Governmental Operations shall study the issue of providing legal representation to inmates in the custody of the Department of Correction by examining the current means and alternative means of providing such representation and determining which of those means are the most feasible. The Commission shall report its findings and any recommendations to the Chairmen of the Senate and House Appropriations Committees and the Chairmen of the Senate and House Appropriations Committees on Justice and Public Safety by May 1, 1992.

PART 19.-----DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

Requested by: Representatives Anderson, Redwine, Senator Marvin

-----REPORT ON COMMUNITY SERVICE WORKERS

Sec. 71. The Department of Crime Control and Public Safety shall report quarterly in the 1991-92 fiscal year and the 1992-93 fiscal year to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division on the number of community service workers who were available during each month of the

time period preceding that report to perform repairs and maintenance of the parks and when and where they were available.

Requested by: Representatives Anderson, Redwine, Senator Marvin

-----REPORT ON THE CRIME VICTIMS COMPENSATION FUND

Sec. 72. The Department of Crime Control and Public Safety shall report annually to the Senate and House Appropriations Base Budget Committees on Justice and Public Safety and the Fiscal Research Division on the administrative expenditures of the North Carolina Crime Victims Compensation Fund.

Requested by: Representatives Anderson, Redwine, Senator Marvin

-----LEGISLATIVE REVIEW OF DRUG LAW ENFORCEMENT AND OTHER GRANTS

Sec. 73. (a) Section 1303(4) of the Omnibus Crime Control and Safe Streets Act of 1968 provides that State applications for drug law enforcement grants are subject to review by the State legislature or its designated body.

(b) The North Carolina General Assembly hereby provides that State applications for grants under the State and Local Law Enforcement Assistance Act of 1986, Part M of the Omnibus Crime Control and Safe Streets Act of 1968 as enacted by Subtitle K of P.L. 99-570, the Anti-Drug Abuse Act of 1986, are subject to review by the Joint Legislative Commission on Governmental Operations if at the time of review the General Assembly is not in session.

(c) Unless a State statute provides a different forum for review where a federal law or regulation provides that a State application for a grant must be reviewed by the State legislature or its designated body and at the time of the review the General Assembly is not in session, that application shall be reviewed by the Joint Legislative Commission on Governmental Operations.

Requested by: Representatives Anderson, Redwine, Senator Marvin

-----REPORT ON MOTOR VEHICLE REPLACEMENT COST

Sec. 74. The Department of Crime Control and Public Safety shall report to the 1991 General Assembly, 1992 Regular Session, regarding the reduction in the number of motor vehicles replaced by the Highway Patrol for the 1991-92 fiscal year and the effect, if any, of that reduction on the Highway Patrol, and shall also review and report on the projected cost of replacing motor vehicles for the 1992-93 fiscal year. The Department of Justice shall report to the 1991 General Assembly, 1992 Regular Session, regarding the reduction in the number of motor vehicles replaced by the State Bureau of Investigation for the 1991-92 fiscal year and the effect, if any, of that reduction on the State Bureau of Investigation, and shall also review and report on the projected cost of replacing motor vehicles for the 1992-93 fiscal year.

Requested by: Representatives Anderson, Redwine, Senator Marvin

-----REPORT ON HIGHWAY PATROL FURNITURE AND EQUIPMENT REPLACEMENT SCHEDULE

Sec. 75. The Highway Patrol, Department of Crime Control and Public Safety, shall report to the 1991 General Assembly, 1992 Regular Session, regarding the reductions in the replacement schedule for furniture and equipment for the Highway Patrol for the 1991-92 fiscal year and the effect, if any, of those reductions. The Highway Patrol shall also report on the projected cost of the replacement schedule for equipment and furniture for the 1992-93 fiscal year.

Requested by: Representatives Anderson, Redwine, Senators Marvin, Odom

-----CRIME VICTIMS COMPENSATION/SOFTWARE FUNDS

Sec. 76. (a) The Office of State Budget and Management shall designate \$10,080 of the Computer Reserve Fund created in the Office of State Budget and Management for the 1991-92 fiscal year for the critical computer needs of the Crime Victims Compensation Program in the Department of Crime Control and Public Safety.

(b) Effective January 1, 1992, the Department of Crime Control and Public Safety shall eliminate one position for a claims examiner and one position for an investigator.

PART 20.-----JUDICIAL DEPARTMENT

Requested by: Representatives Anderson, Redwine, Senator Marvin
-----COMMISSIONERS ON UNIFORM STATE LAWS

Sec. 77. From funds appropriated to the Judicial Department in the certified budget for the 1991-93 fiscal biennium in this Title, the Administrative Office of the Courts may transfer within its budget up to \$19,000 for the 1991-92 fiscal year and up to \$19,000 for the 1992-93 fiscal year to reimburse the expenses of travel of the North Carolina delegation of the National Conference of Commissioners on Uniform State Laws.

Requested by: Representatives Anderson, Redwine, Senator Marvin
-----INDIGENT PERSONS' ATTORNEY FEE FUND

Sec. 78. (a) Effective July 1, 1991, the Administrative Office of the Courts shall each year of the 1991-93 fiscal biennium place the sum of \$3,249,236 from the Indigent Persons' Attorney Fee Fund in a reserve for capital cases and for transcripts, professional examinations, and expert witness fees. The Administrative Office of the Courts shall allot these funds as needed for these purposes and for unanticipated demands on the fund.

(b) Effective July 1, 1991, the Administrative Office of the Courts shall, for each year of the biennium, allot the sum of \$11,500,000 from the Indigent Persons' Attorney Fee Fund for adult, juvenile, and guardian ad litem cases for the 1991-92 and 1992-93 fiscal years to each judicial district where the superior and district court districts are coterminous, and otherwise by county, according to the caseload of indigent persons who were not represented by the public defender in the districts or counties during 1990-91 and 1991-92, respectively.

The Administrative Office of the Courts shall notify all senior resident superior court judges, all chief district court judges, and the clerk of superior court within the district or county immediately after the allotment is made and shall regularly notify them how much remains for the district or county.

The senior resident superior court judge and the chief district court judge of each district or county shall ask all judges holding court within the district or county: (i) to take into consideration the amount of money allotted at the beginning of the fiscal year and the amount of money remaining in the allotment when they award counsel fees to attorneys of indigent persons, and (ii) to make an effort to award fees equally and justly for legal services provided. The clerk of superior court for each county shall assure that all judges holding court within the county receive this request from the senior resident superior court judge and the chief district court judge.

(c) If the funds allotted pursuant to subsection (b) of this section are depleted in a district or county prior to the end of the fiscal year, the Administrative Office of the Courts shall allot the remaining funds from the Indigent Persons' Attorney Fee Fund in the same manner as provided in subsection (b) of this section, provided, however, if necessary and appropriate due to unusual and unanticipated circumstances occurring in the current year, the Administrative Office of the Courts may allocate funds to a district or county in a manner calculated to result in the reasonably fair distribution of the remaining funds. Such funds shall be subject to the limitations and directions set out in subsection (b) of this section.

(d) If the funds allotted pursuant to subsection (c) of this section are depleted in a district or county prior to the end of the fiscal year, the Administrative Office of the Courts is authorized to resume payments in such districts or counties only if and when it is reasonably determined that the total projected expenditures will be less than the total approved budget for the Indigent Persons' Attorney Fee Fund for the fiscal year.

Requested by: Representatives Anderson, Redwine, Senator Marvin
-----CURRENT OPERATING EXPENSES

Sec. 79. From funds appropriated to the Judicial Department in the certified budget for the 1991-92 fiscal year in this Title, the Administrative Office of the Courts may transfer within its budget up to \$2,500,000 to meet additional current operating expenses for supplies and materials, current obligations, fixed charges, other expenses, equipment and books, and indigent persons' attorney fees. The Administrative Office of the Courts shall make quarterly reports on transfers made pursuant to this section to the Joint Legislative Commission on Governmental Operations and the Chairmen of the Senate and the House Appropriations Committees on Justice and Public Safety.

Requested by: Representatives Anderson, Redwine, Senator Marvin
 -----RAPE VICTIM WITNESS COUNSELLOR PROGRAM

Sec. 80. From funds appropriated to the Judicial Department in the certified budget for the 1991-93 biennium in this Title, the Administrative Office of the Courts may transfer within its budget up to \$25,000 for the 1991-92 fiscal year and up to \$25,000 for the 1992-93 fiscal year to support the existing Rape Victim Witness Counsellor Program.

Requested by: Representatives Anderson, Redwine, Senator Marvin
 -----ASSIGNED COUNSEL/PUBLIC DEFENDER COST COMPARISON
 REPORTS FOR DISTRICTS 4A, 5, AND 10; INTENT TO ESTABLISH PUBLIC
 DEFENDER OFFICES WHERE ASSIGNED COUNSEL COSTS EXCESSIVE

Sec. 81. (a) Before the 1992 Regular Session of the 1991 General Assembly convenes, the Administrative Office of the Courts shall submit to the House and Senate Appropriations Committees on Justice and Public Safety and to the Joint Legislative Commission on Governmental Operations two reports which compare the amount actually spent on private assigned counsel for indigent persons in Superior Court District or Set of Districts 4A (Sampson, Duplin, and Jones Counties), 5 (New Hanover and Pender Counties), and 10 (Wake County), with the estimated amount which would have been incurred had there been a public defender in each of those districts. The first report shall be submitted on or before January 1, 1992, and shall cover the period May 1, 1991, through October 31, 1991; the second report shall be submitted on or before May 20, 1992, and shall cover the period May 1, 1991, through April 30, 1992. Each report shall be based on methods and shall be presented in a format substantially similar to those of the "Comparative Cost Estimates for Establishing Additional Public Defender Offices in Certain Judicial Districts" which are prepared annually by the Administrative Office of the Courts.

(b) It is the intent of the General Assembly to establish, effective July 1, 1992, a public defender office for a defender district coterminous with any of the three superior court districts or set of districts designated in subsection (a) of this section in which the amount actually spent on private assigned counsel between May 1, 1991, and April 30, 1992, exceeds the estimated amount which would have been incurred in the same period had there been a public defender office in that district or set of districts, as shown in the reports submitted pursuant to subsection (a) of this section.

(c) By May 20, 1992, the Administrative Office of the Courts shall report to the entities designated to receive the reports in subsection (a) of this section on the cost effectiveness of the existing public defender offices.

Requested by: Representatives Anderson, Redwine, Senator Marvin
 -----APPELLATE DEFENDER — DEATH PENALTY CASES

Sec. 82. (a) Report on Appellate Defender's Office. The Judicial Department shall submit reports on March 15 of each year of the 1991-93 biennium to the House and Senate Appropriation Committees on Justice and Public Safety and to the Joint Legislative Commission on Governmental Operations on:

- (1) The purpose and activities of that part of the Appellate Defender's Office devoted to death penalty cases, and
- (2) An accounting of General Fund expenditures on assistance provided to paid counsel, State-appointed counsel, and pro bono attorneys.

(b) No Lobbying by Appellate Defender's Office. The Appellate Defender's Office shall not lobby any entity, organization, or legislative body to urge either abolition or retention of the death penalty. If the Appellate Defender's Office or any of its employees fail to comply with this section or with any of the duties of the Appellate Defender's Office related to death penalty cases, the Director of the Administrative Office of the Courts may refuse to seek continued State funding for that part of the Appellate Defender's Office devoted to death penalty cases, or take such other actions as the Director considers appropriate.

(c) Clarify Responsibilities of Appellate Defender. G.S. 7A-486.3 reads as rewritten:

"§ 7A-486.3. Duties.

The appellate defender shall:

- (1) Represent indigent persons subsequent to conviction in trial courts pursuant to assignment by trial court judges under the general supervision of the Chief Justice of the Supreme Court. The Chief Justice may, following consultation with the appellate defender and consistent with the resources available to the appellate defender to ensure quality criminal defense services by the appellate defender's office, authorize the appellate defender not to accept assignments of certain appeals but instead to cause those appeals to be assigned either to a local public defender's office or to private assigned counsel.
- (2) Maintain a clearinghouse of materials and a repository of briefs prepared by the appellate defender to be made available to private counsel representing indigents in criminal cases.
- (3) Provide continuing legal education training to assistant appellate defenders and to private counsel representing indigents in criminal cases, including capital cases, as resources are available.
- (4) Provide consulting services to attorneys representing defendants in capital cases.
- (5) Recruit qualified members of the private bar who are willing to provide representation in State and federal death penalty postconviction proceedings.
- (6) In his discretion, serve as counsel of record for indigent defendants in capital cases in State court.
- (7) Undertake direct representation and consultation in capital cases pending in federal court only to the extent that such work is fully federally funded."

Requested by: Representatives Anderson, Redwine, Senator Marvin

-----TERMINATION OF AUTOMATIC DISMISSAL PROGRAMS

Sec. 84. Effective August 1, 1991, the programs in Prosecutorial Districts 5, 25, 26, 27A, and 27B for dismissing all minor traffic citation court cases and forgiving the payment of all court costs upon the completion by the offender of a "defensive driving course" or "traffic safety school" shall be terminated. No such program may be established or operated in any judicial or prosecutorial district except by express enactment of the General Assembly.

Requested by: Representatives Anderson, Redwine, Senators Marvin, Odom

-----COMMUNITY PENALTIES PROGRAMS

Sec. 84.1. (a) Of the funds appropriated in this act to the Judicial Department to conduct the community penalty programs, the sum of \$1,518,912 shall be allocated among the community penalties programs listed below as follows:

One Step Further, Inc.	\$139,664
Services to Nash County Community Penalties Program	44,000
Services to Rockingham/Caswell	40,900
Fayetteville Area Sentencing Center, Inc.	131,878
Re-Entry, Inc.	93,500

Repay, Inc.	100,045
Community Corrections Resources, Inc.	104,379
Western Carolinians for Criminal Justice, Inc.	100,300
Prison & Jail Project, Inc.	100,300
Community Penalties Program, Inc.	68,213
Jacksonville Community Penalties, Inc.	89,250
Services to Sampson, Duplin, and Jones Counties	55,000
Gaston Community Penalties, Inc.	53,661
Services to Cleveland and Lincoln Counties	38,000
Dispute Settlement Center, Inc.	53,661
Appropriate Punishment Option, Inc.	53,661
Mecklenburg Community Corrections	93,500
Neuse River Council of Governments DBA Neuse	
River Community Penalties Program	55,000
Tuscarora Tribe of North Carolina	52,000
Citizens for Community Justice	52,000.

(b) Funds allocated in subsection (a) and not used by the community penalties programs listed above may be used by the Judicial Department to establish new community penalties programs.

The Judicial Department shall report annually to the Senate and House Appropriations Base Budget Committees on Justice and Public Safety and to the Fiscal Research Division on the administrative expenditures of the community penalties programs.

PART 21.-----DEPARTMENT OF JUSTICE

Requested by: Representatives Anderson, Redwine, Senator Marvin

-----USE OF SEIZED AND FORFEITED PROPERTY TRANSFERRED TO STATE LAW ENFORCEMENT AGENCIES BY THE FEDERAL GOVERNMENT

Sec. 85. (a) Assets transferred to the Department of Justice during the 1991-93 biennium pursuant to 19 U.S.C. § 1616a shall be credited to the budget of that Department and shall result in an increase of law enforcement resources for the Department. Assets transferred to the Department of Crime Control and Public Safety during the 1991-93 biennium pursuant to 19 U.S.C. § 1616a shall be credited to the budget of that Department and shall result in an increase of law enforcement resources for the Department. The departments shall report to the Joint Legislative Commission on Governmental Operations upon the receipt of these assets and, before using these assets, shall report the intended use of these assets and the departmental priorities on which the assets may be expended.

The General Assembly finds that the use of these assets for new projects, the acquisition of real property, repair of buildings where such repair includes structural change, and construction of or additions to buildings may result in additional expenses for the State in future fiscal periods; therefore, the Department of Justice and the Department of Crime Control and Public Safety are prohibited from using these assets for such purposes without the prior approval of the General Assembly.

(b) This section does not apply to the extent that it prevents North Carolina law enforcement agencies from receiving funds from the United States Department of Justice pursuant to 19 U.S.C. § 1616a.

Requested by: Representatives Anderson, Redwine, Senator Marvin

-----DEPARTMENT OF JUSTICE STUDY/CHARGES FOR LEGAL SERVICES TO LOCAL GOVERNMENTS AND STATE AGENCIES

Sec. 86. (a) The Department of Justice shall study the feasibility of charging local governments for legal services rendered to those governments by the Office of the Attorney General. The Department of Justice shall consider the number of requests for legal assistance received from local governments, the type of legal assistance requested, the time required to respond to the requests, and any other matters

related to the issue of charging local governments for legal assistance. The Department of Justice shall also consider what fee, if any, is appropriate to charge local governments for such legal services. The Department of Justice shall report its findings and recommendations to the 1991 General Assembly, 1992 Regular Session.

(b) The Department of Justice shall study the feasibility of an increase in the fees currently charged other State departments and agencies for its legal services, such fee increase to be effective for the 1993-94 fiscal year. The Department of Justice shall also study the feasibility of requiring all State departments and agencies that have attorneys assigned to them by the Attorney General to pay the compensation, including salaries and benefits, for those legal positions. The Department of Justice shall report its findings and recommendations to the 1991 General Assembly, 1992 Regular Session.

Requested by: Representatives Anderson, Redwine, Senator Marvin

-----DEPARTMENT OF TRANSPORTATION TO PAY COMPENSATION OF ATTORNEYS ASSIGNED TO MOTOR VEHICLES DIVISION BY THE ATTORNEY GENERAL

Sec. 87. The Department of Transportation shall pay the compensation, including salaries and benefits, of the attorneys assigned to the Division of Motor Vehicles by the Attorney General. The funds to pay the compensation for those legal positions shall be taken from the Highway Fund.

Requested by: Representatives Anderson, Redwine, Senator Marvin

-----JUSTICE ACADEMY STUDY/STUDENT REGISTRATION FEE

Sec. 88. The North Carolina Justice Academy shall study the possibility of requiring a student registration fee. The study shall include consideration of the actual cost for a student to attend the Justice Academy, the merits of charging a registration fee, and the amount, if any, that should be charged as a registration fee. The North Carolina Justice Academy shall report its findings and recommendations to the 1991 General Assembly, 1992 Regular Session.

Requested by: Representatives Anderson, Redwine, Senator Marvin

-----SBI USE OF COURT-ORDERED RESTITUTION FUNDS

Sec. 89. The State Bureau of Investigation (SBI) may use funds available from court-ordered restitution in undercover drug operations.

Requested by: Representatives Anderson, Redwine, Senator Marvin

-----PRIVATE PROTECTIVE SERVICES AND ALARM SYSTEMS LICENSING BOARDS PAY FOR USE OF STATE FACILITIES AND SERVICES

Sec. 90. The Private Protective Services and Alarm Systems Licensing Boards shall pay the appropriate State agency for the use of physical facilities and services provided to those boards by the State.

Requested by: Representatives Anderson, Redwine, Senators Marvin, Odom

-----TRANSFER LEGAL AND SUPPORT STAFF POSITIONS FROM VARIOUS DEPARTMENTS TO THE DEPARTMENT OF JUSTICE

Sec. 91. (a) The following positions are transferred to the Department of Justice from the Department of Administration:

Dept Agency	Position Number	Position Title	Grade
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ADMINISTRATION

Radioactive Waste	0095	Paralegal II	67
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(b) The following positions are transferred to the Department of Justice from the Department of Agriculture:

Dept Agency	Position Number	Position Title	Grade
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AGRICULTURE

Administration Legal Staff 0105 Agency Legal Specialist II 75

(c) The following positions are transferred to the Department of Justice from the Department of Community Colleges:

Dept Agency	Position Number	Position Title	Grade
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COMMUNITY COLLEGES

Legal Staff 0180 (to 1160) Paralegal I 65

(d) The following positions are transferred to the Department of Justice from the Department of Correction:

Dept Agency	Position Number	Position Title	Grade
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CORRECTION

Legal Staff	0074	Agency Legal Specialist III	77
	0078	Agency Legal Specialist II	75
	0080	Agency Legal Specialist II	75
	0079	Agency Legal Specialist II	75
	0084	Paralegal III (Employee Title = Paralegal II)	70 67
Support Staff	0088	Administrative Secretary IV	61
	0090	Clerk-Typist IV	59
	0092	Clerk-Typist III	57

(e) The following positions are transferred to the Department of Justice from the Department of Environment, Health, and Natural Resources:

Dept Agency	Position Number	Position Title	Grade
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ENVIRONMENT, HEALTH AND NATURAL RESOURCES

Legal Staff Administration	1902	Agency Legal Specialist III	77
	1903	Agency Legal Specialist III	77
	1906	Agency Legal Specialist I	73
	1907	Agency Legal Specialist III	77
	1909	Agency Legal Specialist III	77
	1911	Agency Legal Specialist II	75
	1912	Agency Legal Specialist III	77
	1915	Agency Legal Specialist III	77
	1916	Agency Legal Specialist III	77
	1918	Agency Legal Specialist I	73
Marine Fisheries	8442	Paralegal II	67
	8443	Paralegal II	67
	8444	Paralegal II	67
Solid Waste	4523	Attorney II	79
Support Staff	1914	Clerk-Steno V	61
	1917	Clerk-Typist IV	59

1908	Clerk-Typist IV	59
1905	Clerk-Typist IV	59
4035	Secretary III	57

(f) The following positions are transferred to the Department of Justice from the Department of Human Resources:

Dept Agency	Position Number	Position Title	Grade
HUMAN RESOURCES			
Legal Staff			
Office of the Secretary	0713	Agency Legal Specialist II	75
Division of Youth Services	0003	Agency Legal Specialist I	73
Division of Mental Health, Developmental Disabilities, and Substance Abuse Services	0025	Agency Legal Specialist I	73

(g) The following positions are transferred to the Department of Justice from the Department of Insurance:

Dept Agency	Position Number	Position Title	Grade
INSURANCE			
Legal Services Division			
	0114	Attorney II	79
	0117	Attorney II	79
	0120	Attorney II	79
	0122	Attorney II	79
	0123	Attorney II	79
	0124	Attorney II	79
	0125	Attorney II	75
	0126	Agency Legal Specialist III	77
	0133	Paralegal II	67
Field Audit	0420	Attorney II	79
Support Staff			
	0134	Clerk-Typist IV	59
	0138	Clerk-Typist IV	59
	0139	Administrative Secretary V	61
	0144	Clerk-Typist IV	59

(h) The following positions are transferred to the Department of Justice from the Department of Revenue:

Dept Agency	Position Number	Position Title	Grade
REVENUE			
Legal Staff Field Operations	8210	Agency Legal Specialist II	75

(i) The following positions are transferred to the Department of Justice from the Department of the Secretary of State:

Dept Agency	Position Number	Position Title	Grade
SECRETARY OF STATE			
Legal Staff			
Corporations Division	0200	Attorney-Corporations Filing	75
Support Staff	0420	Clerk-Steno III	57

(j) The equipment, supplies, records, and other property to support the positions transferred by this section are also transferred from the appropriate departments to the Department of Justice.

(k) Funds are transferred in this Title to the Department of Justice for the positions, equipment, supplies, and other property transferred to the Department of Justice by this section. Funds for the 1992-93 fiscal year for those positions, equipment, supplies, and other property shall be reduced by fifteen percent (15%). To achieve the fifteen percent (15%) reduction required by this section, the Attorney General shall identify specific reductions relating to equipment, supplies, and other property transferred under this section and shall identify the positions transferred to the Department of Justice by this section to be eliminated. The Attorney General shall report to the Legislative Commission on Governmental Operations and the Fiscal Research Division by March 15, 1992, regarding those reductions and positions to be eliminated. By July 1, 1992, the Attorney General shall permanently make reductions relating to equipment, supplies, and other property transferred by this section and shall eliminate the positions transferred to the Department of Justice by this section to achieve the fifteen percent (15%) reduction.

(l) Any department from which a position is transferred under this section to the Department of Justice shall continue to provide adequate office space for legal and support staff assigned to that department by the Attorney General.

(m) Any disputes arising out of this transfer shall be resolved by the Director of the Budget.

Requested by: Representatives Anderson, Redwine, Senators Marvin, Odom
-----DEPARTMENT OF JUSTICE/DRUG INFORMATION SYSTEM

Sec. 92. The North Carolina Drug Information System proposed in the State's 1991 Criminal Justice Improvement and Drug Control Grant application submitted to the United States Department of Justice, Bureau of Justice Assistance, shall be housed in the Department of Justice and shall be under the supervision and control of the Attorney General. The Department of Justice and the Department of Crime Control and Public Safety shall report to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division by March 15, 1992, regarding the progress in implementing the system.

Requested by: Representatives Anderson, Redwine, Senators Marvin, Odom
-----SBI FUNDS/SPENDING PRIORITIES

Sec. 92.1. (a) Of the funds appropriated in this Title to the Department of Justice, State Bureau of Investigation, for the 1991-92 fiscal year and the 1992-93 fiscal year for overtime payments, the first priority for use of the funds by the Department shall be:

- (1) To make overtime payments to SBI agents in the Field Investigations Division; and
- (2) To make overtime payments to supervisory personnel receiving overtime payments as of June 30, 1991, up to a maximum of \$5,200 annually per individual.

(b) The Office of State Personnel shall study all supervisory personnel positions in the State Bureau of Investigation to determine the appropriate salary grade and classification of those positions and shall report its findings and recommendations to the Senate and House Appropriations Committees on Justice and Public Safety and the Fiscal Research Division by March 1, 1992.

PART 22.-----DEPARTMENT OF HUMAN RESOURCES

Requested by: Representatives Nye, Easterling, Senator Richardson

-----MEDICAID

Sec. 93. (a) Funds appropriated in this Title for services provided in accordance with Title XIX of the Social Security Act (Medicaid) are for both the categorically needy and the medically needy. Funds appropriated for these services shall be expended in accordance with the following schedule of services and payment bases. All services and payments are subject to the language at the end of this subsection. Services and payment bases:

- (1) Hospital-Inpatient - Payment for hospital inpatient services will be prescribed in the State Plan as established by the Department of Human Resources. Administrative days for any period of hospitalization shall be limited to a maximum of three days.
- (2) Hospital-Outpatient - Eighty percent (80%) of allowable costs or a prospective reimbursement plan as established by the Department of Human Resources.
- (3) Nursing Facilities - As prescribed under the reimbursement plan for Nursing Facilities. Nursing facilities providing services to Medicaid recipients who also qualify for Medicare, must be enrolled in the Medicare program as a condition of participation in the Medicaid program, subject to phase-in certification for those nursing facilities not already enrolled in Medicare. State facilities are not subject to the requirement to enroll in the Medicare Program.
- (4) Intermediate Care Facilities for the Mentally Retarded - As prescribed under the State Plan for reimbursing intermediate care facilities for the mentally retarded.
- (5) Drugs - Drug costs as allowed by federal regulations plus a professional services fee per month excluding refills for the same drug or generic equivalent during the same month. Reimbursement shall be available for up to six prescriptions per recipient, per month, including refills. Payments for drugs are subject to the provisions of subsection (h) of this section and to the provisions at the end of subsection (a) of this section, or in accordance with a plan adopted by the Department of Human Resources consistent with federal reimbursement regulations. Payment of the professional services fee shall be made in accordance with the plan adopted by the Department of Human Resources, consistent with federal reimbursement regulations. Adjustments to the professional services fee shall be established by the General Assembly.
- (6) Physicians, Chiropractors, Podiatrists, Optometrists, Dentists, Certified Nurse Midwife Services - Fee schedules as developed by the Department of Human Resources. Payments for dental services are subject to the provisions of subsection (g) of this section.
- (7) Community Alternative Program, EPSDT Screens - Payment to be made in accordance with rate schedule developed by the Department of Human Resources.
- (8) Home Health, Private Duty Nursing, Clinic Services, Prepaid Health Plans - Payment to be made according to reimbursement plans developed by the Department of Human Resources.
- (9) Medicare Buy-In - Social Security Administration premium.
- (10) Ambulance Services - Uniform fee schedules as developed by the Department of Human Resources.
- (11) Hearing Aids - Actual cost plus a dispensing fee.
- (12) Rural Health Clinic Services - Provider based - reasonable cost; nonprovider based - single cost reimbursement rate per clinic visit.
- (13) Family Planning - Negotiated rate for local health departments. For other providers - see specific services, for instance, hospitals, physicians.

- (14) Independent Laboratory and X-Ray services – Uniform fee schedules as developed by the Department of Human Resources.
- (15) Optical Supplies – One hundred percent (100%) of reasonable wholesale cost of materials.
- (16) Ambulatory Surgical Centers – Payment as prescribed in the reimbursement plan established by the Department of Human Resources.
- (17) Medicare Crossover Claims – An amount up to the actual coinsurance or deductible or both, in accordance with the plan, as approved by the Department of Human Resources.
- (18) Physical Therapy and Speech Therapy – Services limited to EPSDT eligible children. Payments are to be made only to the Children's Special Health Services program at rates negotiated by the Department of Human Resources.
- (19) Personal Care Services – Payment in accordance with plan approved by the Department of Human Resources.
- (20) Case Management Services – Reimbursement in accordance with the availability of funds to be transferred within the Department of Human Resources.
- (21) Hospice – Services may be provided in accordance with plan developed by the Department of Human Resources.
- (22) Other Mental Health Services – Unless otherwise covered by this section, coverage is limited to agencies meeting the requirements of the rules established by the Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services, and reimbursement is made in accordance with a plan developed by the Department of Human Resources not to exceed the upper limits established in federal regulations.
- (23) Medically Necessary Prosthetics or Orthotics for EPSDT Eligible Children – Reimbursement in accordance with plan approved by the Department of Human Resources.
- (24) Health Insurance Premiums – Payments to be made in accordance with the plan adopted by the Department of Human Resources consistent with federal regulations.

Reimbursement is available for up to 24 visits per recipient per year to any one or combinations of the following: physicians, clinics, hospital outpatients, optometrists, chiropractors, and podiatrists. Prenatal services, all ESPDT children, and emergency rooms are exempt from the visit limitations contained in this paragraph. Exceptions may be authorized by the Department of Human Resources where the life of the patient would be threatened without such additional care. Any person who is determined by the Department to be exempt from the 24-visit limitation may also be exempt from the six-prescription limitation.

(b) Allocation of Nonfederal Cost of Medicaid. The State shall pay eight-five percent (85%); the county shall pay fifteen percent (15%) of the nonfederal costs of all applicable services listed in this section.

(c) Copayment for Medicaid Services. The Department of Human Resources may establish copayment up to the maximum permitted by federal law and regulation.

(d) Medicaid and Aid to Families with Dependent Children Income Eligibility Standards. Effective January 1, 1990, the maximum net family annual income eligibility standards for Medicaid and Aid to Families with Dependent Children, and the Standard of Need for Aid to Families with Dependent Children shall be as follows.

<u>Categorically Needy</u>		<u>Medically Needy</u>	
Family Size	Standard Of Need	AFDC Payment Level*	AA.AB.AD*
1	\$ 4,344	\$ 2,172	\$ 2,900
2	5,664	2,832	3,800
3	6,528	3,264	4,400
4	7,128	3,564	4,800

5	7,776	3,888	5,200
6	8,376	4,188	5,600
7	8,952	4,476	6,000
8	9,256	4,680	6,300

*Aid to Families with Dependent Children (AFDC); Aid to the Aged (AA); Aid to the Blind (AB); and Aid to the Disabled (AD).

The payment level for Aid to Families with Dependent Children shall be fifty percent (50%) of the standard of need.

These standards may be changed with the approval of the Director of the Budget with the advice of the Advisory Budget Commission.

(e) Spouse Responsibility. The Department of Human Resources, Division of Medical Assistance, may not consider the income or assets of the spouse of a person who is admitted as a long-term care patient in a certified public or private intermediate care or skilled nursing facility to be available to the institutionalized person. This provision will remain in effect until superseded by federal law under the Medicare Catastrophic Coverage Act of 1988, on September 1, 1989.

(f) Dental Coverage Limits. Dental services will be provided on a restricted basis in accordance with regulations developed by the Department. Funds for dental services shall be disbursed only with prior approval by the Department of Human Resources, Division of Medical Assistance, as required by this subsection. No prior approval shall be required for emergency services or routine services. Routine services are defined as examinations, X rays, prophylaxes, nonsurgical tooth extractions, amalgam fillings, and fluoride treatments. Prior approval shall be required for all other services and for routine services performed more than two times during a consecutive 12-month period. The Department of Human Resources shall adopt rules, as provided by the Administrative Procedure Act, to implement this subsection.

(g) Dispensing of Generic Drugs. Notwithstanding G.S. 90-85.27 through G.S. 90-85.31, under the Medical Assistance Program (Title XIX of the Social Security Act) a prescription order for a drug designated by a trade or brand name shall be considered to be an order for the drug by its established or generic name, except when the prescriber personally indicates, either orally or in his own handwriting on the prescription order, "dispense as written" or words of similar meaning. Generic drugs, when available in the pharmacy, shall be dispensed at a lower cost to the Medical Assistance Program rather than trade or brand name drugs, subject to the prescriber's "dispense as written" order as noted above.

As used in this subsection "brand name" means the proprietary name the manufacturer places upon a drug product or on its container, label, or wrapping at the time of packaging; and "established name" has the same meaning as in section 502(e)(3) of the Federal Food, Drug and Cosmetic Act as amended, 21 U.S.C. § 352(e)(3).

(h) Exceptions to Service Limitations, Eligibility Requirements, and Payments. Service limitations, eligibility requirements, and payments, and payments bases in this section may be waived by the Department of Human Resources, with the approval of the Director of the Budget, to allow the Department to carry out pilot programs for prepaid health plans or community based services programs in accordance with plans approved by the United States Department of Health and Human Services, or when the Department determines that such a waiver will result in a reduction in the total Medicaid costs for the recipient.

(i) Volume Purchase Plans and Single Source Procurement. The Department of Human Resources, Division of Medical Assistance, may, subject to the approval of a change in the State Medicaid Plan, contract for services, medical equipment, supplies, and appliances by implementation of volume purchase plans, single source procurement or other similar processes in order to improve cost containment.

(j) Cost Containment Programs. The Department of Human Resources, Division of Medical Assistance, may undertake cost containment programs including

preadmissions to hospitals and prior approval for certain outpatient surgeries before they may be performed in an inpatient setting.

(k) For all Medicaid eligibility classifications for which the federal poverty level is used as an income limit for eligibility determination, the income limits will be updated each July 1 immediately following publication of federal poverty guidelines.

(l) Effective January 1, 1988, the Department of Human Resources shall provide Medicaid to 19-, 20-, and 21-year-olds in accordance with federal rules and regulations.

(m) The Department of Human Resources shall provide coverage to pregnant women and children according to the following schedule:

- (1) Pregnant women with incomes equal to or less than one hundred eighty-five percent (185%) of the federal poverty guidelines as revised each July shall be covered for Medicaid benefits;
- (2) Infants under the age of 1 with family incomes equal to or less than one hundred eighty-five percent (185%) of the federal poverty guidelines as revised each July 1, shall be covered for Medicaid benefits;
- (3) Children aged 1 through 5 with family incomes equal to or less than one hundred thirty-three percent (133%) of the federal poverty guidelines as revised each July 1 shall be covered for Medicaid benefits; and
- (4) Children aged 6 through 18 who were born after September 30, 1983, with family incomes equal to the federal poverty guidelines as revised each July 1, shall be covered for Medicaid benefits.

Services to pregnant women eligible under this section continue throughout the pregnancy but include only those related to pregnancy and to those other conditions determined by the Department as conditions that may complicate pregnancy. In order to reduce county administrative costs and to expedite the provision of medical services to pregnant women, to infants, and to children eligible under this section, no resources test shall be applied.

(n) The Department of Human Resources may use Medicaid funds budgeted from program services to support the cost of administrative activities to the extent that these administrative activities produce a net savings in services requirements. Administrative initiatives funded by this section shall be first approved by the Office of State Budget and Management.

Requested by: Representatives Easterling, Nye, Senators Richardson, Royall
-----GENERAL REDUCTIONS AND SAVINGS/RULES

Sec. 95. The Department of Human Resources, Division of Medical Assistance, shall effect reductions and accomplish savings for the 1991-92 fiscal year and the 1992-93 fiscal year and shall adopt rules necessary to effect these reductions and accomplish these savings at the earliest appropriate date.

Requested by: Representatives Easterling, Nye, Senator Richardson
-----FAMILY SUPPORT ACT

Sec. 96. (a) Section 229 of Chapter 1014 of the 1985 Session Laws is amended by adding a new subsection to read:

"(d) If any provision of this section is held invalid by a court of competent jurisdiction, the invalidity shall not affect the remaining provisions of this section that can be given effect."

(b) The General Assembly finds that it is in the best interest of the State and of all its citizens to encourage recipients of Aid to Families with Dependent Children to obtain jobs and become self-sufficient. It further finds that, by continuing medical assistance and providing limited wage assistance to those recipients who are working, the State will make it possible to help many recipients to be able to keep their jobs, support their families, and become self-sufficient.

(c) The Social Services Commission shall adopt rules to change the way it budgets Aid to Families with Dependent Children payments that will result in more recipients being able to find work and keep working. These rules shall include subtracting countable income from the State standard of need, and paying a percentage

of the difference. The percentage that shall be applied to determine the amount of assistance shall be the same percentage set in the Current Operations Appropriations Act that determines the Aid to Families of Dependent Children payment level from the standard of need.

Requested by: Representatives Nye, Easterling, Senator Richardson

-----RETROSPECTIVE ACCOUNTING ADJUSTMENT

Sec. 97. The Department of Human Resources shall use funds appropriated to it by this Title to provide a State supplementary payment to Aid to Families of Dependent Children households adversely affected by the retrospective accounting procedure as allowed under section 403(a) of the Social Security Act as amended by section 157(a) of the Tax Equity and Fiscal Responsibility Act of 1982. The amount of the State supplement shall not exceed the maximum payment standard for the Aid to Families with Dependent Children Program.

Requested by: Representatives Easterling, Nye, Senator Richardson

-----AFDC/WOMEN IN THIRD TRIMESTER OF PREGNANCY ADJUSTMENT

Sec. 98. The Division of Social Services, Department of Human Resources, shall provide Aid to Families with Dependent Children to women in their third trimester of pregnancy regardless of whether these women have children, if they otherwise qualify for these payments.

Requested by: Representatives Nye, Easterling, Senator Richardson

-----ADOPTION SUBSIDY

Sec. 99. The adoption subsidy paid monthly by the Division of Social Services, Department of Human Resources, to eligible families who adopt hard-to-place children shall be established at \$150.00 per child per month.

Requested by: Representatives Easterling, Nye, Senator Richardson

-----FOSTER CARE

Sec. 100. Funds appropriated to the Department of Human Resources by this Title for foster care assistance rates shall be used to set the rates at \$265.00 per child per month.

Requested by: Representatives Nye, Easterling, Senator Richardson

-----EMERGENCY ASSISTANCE

Sec. 101. The Division of Social Services, Department of Human Resources, shall not expend more State funds than are appropriated for Emergency Assistance by this Title. Within this limit, Emergency Assistance benefits shall not exceed \$300.00 per year per family, payable over a 30-day period. After this 30-day period, Emergency Assistance benefits are not available to that family until 12 months have elapsed from the initial authorization date. The family may have no more than a total of \$300.00 in liquid assets in order to qualify for any Emergency Assistance pursuant to this section.

It is the intent of the General Assembly that these Emergency Assistance funds shall only be used to provide assistance to persons to alleviate an emergency. In evaluating whether an emergency exists, the county departments of social services shall apply prudent judgment to evaluate each emergency on its own merits. Prudent judgment will permit departments of social services to consider whether the client created the emergency and whether the assistance will resolve the emergency.

Requested by: Representatives Easterling, Nye, Senator Richardson

-----FOOD STAMP OUTREACH

Sec. 102. The Department of Human Resources shall continue a Food Stamp Outreach Program. Under the Program, the Department shall inform public and private agencies, community groups, potentially eligible persons, and the general public regarding the eligibility requirements of the Food Stamp Program. The Department shall maintain a referral list of public and private agencies, community

groups, and interested persons and organizations who serve low-income persons. The Department shall inform these agencies and persons regarding the Food Stamp Program and changes in the law that affect client eligibility or the extent of benefits. The Department shall develop and distribute informational materials, such as public service announcements, brochures, pamphlets, posters, and correspondence.

Requested by: Representatives Nye, Easterling, Senator Richardson

-----CHILD PROTECTIVE SERVICES

Sec. 103. (a) Of the funds appropriated to the Department of Human Resources, Division of Social Services for Child Protective Services in this Title, the Division shall use up to \$175,900 in each fiscal year of the 1991-93 biennium to provide consultation and technical assistance to county departments of social services to strengthen and support local child protective services. The remaining funds shall be allocated to the county departments of social services as follows:

- (1) \$10,000 for the 1991-92 fiscal year and \$10,000 for the 1992-93 fiscal year shall be allocated to each of the 15 county departments that did not receive an allocation of the 1985 State appropriation for child protective services;
- (2) In addition, each of the 100 county departments shall receive an allocation of \$10,000 for the 1991-92 fiscal year and \$10,000 for the 1992-93 fiscal year;
- (3) The balance of available funds shall be allocated to each county department based upon the percentage that the total number of abuse and neglect reports within that county represents to the statewide total number of abuse and neglect reports. These percentages shall be computed from the reports received by the Central Registry of Abuse and Neglect cases for the last two fiscal years.

(b) Funds allocated to county departments of social services pursuant to this section shall be used for staff carrying out investigations of reports of child abuse or neglect or providing protective or preventive services in cases in which the department confirms neglect, abuse, or dependency. If a county department demonstrates that it has adequate protective services staff, these funds may be used to purchase or provide treatment and other support services to children and their families in confirmed cases. All expenditures shall be directly in support of the department's program of protective services for children. These funds shall not be used to supplant any Social Services Block Grant funds or county appropriations previously budgeted for protective services for children.

(c) The Department of Human Resources, Division of Social Services, shall establish criteria and guidelines to assure that the allocations to county departments of social services are used in accordance with the intent and purposes of this section.

Requested by: Representatives Easterling, Nye, Senator Richardson

-----CHILD CARING INSTITUTION REIMBURSEMENT

Sec. 104. (a) Funds appropriated to the Department of Human Resources, Division of Social Services, in this Title for the 1992-93 fiscal year for the monthly payment of State funds to private residential child care agencies for the provision of foster care shall be disbursed in accordance with rules established by the Social Services Commission pursuant to G.S. 143B-153(2)d., and in accordance with the following requirements:

- (1) Only those child caring agencies that have been receiving funds from the Division of Social Services that have been appropriated as grants-in-aid to non-State agencies shall be included in the disbursement unless additional State or federal funds are made available to permit disbursement to new child caring agencies. A new child caring agency may receive funds pursuant to this section only if the additional State or federal funds made available are sufficient to allow disbursements to the new agency without reducing the disbursement to the agencies already receiving funds;

- (2) The formula for the disbursement of these funds shall be based on the assumption that the State is committed to paying allowable foster care maintenance costs and shall do so, to the extent that State and federal funds are available; and
 - (3) In any year that State and federal funds are not sufficient to pay each agency's allowable foster care maintenance costs, each participating agency's rate shall be reduced by the same percentage, so that each agency receives the same percentage of its allowable costs.
- (b) This section becomes effective July 1, 1992.

Requested by: Representatives Easterling, Nye, Senator Richardson

-----CHILD-PLACING AGENCIES CHANGE

Sec. 105. G.S. 143B-153(2) reads as rewritten:

"(2) The Social Services Commission shall have the power and duty to establish standards and adopt rules and regulations:

- a. For the programs of public assistance established by federal legislation and by Article 2 of Chapter 108A of the General Statutes of the State of North Carolina with the exception of the program of medical assistance established by G.S. 108A-25(b);
- b. To achieve maximum cooperation with other agencies of the State and with agencies of other states and of the federal government in rendering services to strengthen and maintain family life and to help recipients of public assistance obtain self-support and self-care;
- c. For the placement and supervision of dependent and delinquent children and payment of necessary costs of foster home care for needy and homeless children as provided by G.S. 108A-48; and
- d. For the payment of ~~grants-in-aid and other~~ State funds to private ~~child-caring institutions. The payment and distribution of grants-in-aid funds to private child-caring institutions shall be regulated by the grant-in-aid (GIA) formula. This formula and any modifications of this formula shall be approved by the Advisory Budget Commission prior to its implementation.~~ child-placing agencies as defined in G.S. 131D-10.2(4) and residential child care facilities as defined in G.S. 131D-10.2(13) for care and services provided to children who are in the custody or placement responsibility of a county department of social services."

Requested by: Representatives Nye, Easterling, Senator Richardson

-----LIMITATIONS ON STATE ABORTION FUND

Sec. 106. Section 93 of Chapter 479 of the 1985 Session Laws, as amended by Section 75 of Chapter 738 of the 1987 Session Laws, as amended by Section 72 of Chapter 500 of the 1989 Session Laws, as amended by Section 79 of Chapter 1066 of the 1989 Session Laws, Regular Session 1990, shall remain in effect on and after July 1, 1991, with the following exception:

Any reference in Section 93 of Chapter 479 of the 1985 Session Laws, as amended, to the 1985-86 fiscal year or the 1986-87 fiscal year applies to the 1991-92 fiscal year and the 1992-93 fiscal year.

Requested by: Representatives Easterling, Nye, Senator Richardson

-----WILLIE M.

Sec. 107. (a) Legislative Findings. The General Assembly finds:

- (1) That there is a need in North Carolina to provide appropriate treatment and education programs to children under the age of 18 who suffer from emotional, mental, or neurological handicaps accompanied by violent or assaultive behavior;

- (2) That children meeting these criteria have been identified as a class in the case of Willie M., et al. v. Martin, et al., formerly Willie M., et al. v. Hunt, et al.; and
- (3) That these children have a need for a variety of services, in addition to those normally provided, that may include but are not limited to residential treatment services, educational services, and independent living arrangements.

(b) Funds appropriated by the General Assembly to the Department of Human Resources for serving members of the Willie M. Class shall be expended only for programs serving members of the Willie M. Class identified in Willie M., et al. v. Martin, et al., formerly Willie M., et al. v. Hunt, et al., including evaluations of potential class members. The Department shall reallocate these funds among services to Willie M. Class members during the year as it deems advisable in order to use the funds efficiently in providing appropriate services to Willie M. Class children.

(c) Funds for Department of Public Education. Funds appropriated to the Department of Public Education in this act for members of the Willie M. Class, are to establish a supplemental reserve fund to serve only members of the class identified in Willie M., et al. v. Martin, et al., formerly Willie M., et al. v. Hunt, et al. These funds shall be allocated by the State Board of Education to the local education agencies to serve those class members who were not included in the regular average daily membership and the census of children with special needs, and to provide the additional program costs which exceed the per pupil allocation from the State Public School Fund and other State and federal funds for children with special needs.

(d) The Department of Human Resources shall continue to implement its prospective unit cost reimbursement system and shall ensure that unit cost rates reflect reasonable costs by conducting cost center service type rate comparisons and cost center line item budget reviews as may be necessary, and based upon these reviews and comparisons, the Department shall reduce and/or cap rates to programs which are significantly higher than those rates paid to other programs for the same service.

Any exception to this requirement shall be approved by the Director of the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, and shall be reported in the Department's annual joint report to the Governor and the General Assembly and in any periodic report the Department may make to the Joint Legislative Commission on Governmental Operations.

(d1) The Department of Human Resources shall implement a process to review those cases for whom treatment has been recommended whose annual cost is anticipated to be in excess of one hundred fifty percent (150%) of the average annual per client expenditure of the previous fiscal year and shall take actions to reduce these treatment costs where appropriate.

(e) Reporting Requirements. The Department of Human Resources and the Department of Public Education shall submit, by May 1 of each fiscal year, a joint report to the Governor and the General Assembly on the progress achieved in serving members of the Willie M. Class. The report shall include the following unduplicated data for each county: (i) the number of children nominated for the Willie M. Class; (ii) the number of children actually identified as members of the Class in each county; (iii) the number of children served as members of the Class in each county; (iv) the number of children who remain unserved or for whom additional services are needed in order to be determined to be appropriately served; (v) the types and locations of treatment and education services provided to Class members; (vi) the cost of services, by type, to members of the Class and the maximum and minimum rates paid to providers for each service; (vii) the number of cases whose treatment costs were in excess of one hundred fifty percent (150%) of the average annual per client expenditure; (viii) information on the impact of treatment and education services on members of the Class; (ix) an explanation of, and justification for, any waiver of departmental rules that affect the Willie M. program; and (x) the total State funds expended, by program, on Willie M. Class members, other than those funds specifically appropriated for the Willie M. programs and services.

(e1) From existing funds available to it, the Department of Human Resources shall begin a process to document and assess individual class members' progress through the continuum of services. Standardized measures of functioning shall be administered periodically:

- (1) In the 1991-92 fiscal year, to a representative sample of class members;
- (2) In the 1992-93 fiscal year and thereafter, to each member of the class, and the information generated from these measures shall be used to assess client progress and program effectiveness,

(f) The Departments of Human Resources and Public Education shall provide periodic reports of expenditures and program effectiveness on behalf of the Willie M. Class to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division. As part of these reports, the Departments shall explain measures they have taken to control and reduce program expenditures.

(g) In fulfilling the responsibilities vested in it by the Constitution of North Carolina, the General Assembly finds:

- (1) That the General Assembly has evaluated the known needs of the State and has endeavored to satisfy those needs in comparison to their social and economic priorities; and
- (2) That the funds appropriated will enable the development and implementation of placement and services for the class members in Willie M., et al. v. Martin, et al., formerly Willie M., et al. v. Hunt, et al., within a reasonable period of time considered within the context of the needs of the class members, the other needs of the State and the resources available to the State.

(h) The General Assembly supports the efforts of the responsible officials and agencies of the State to meet the requirements of the court order in Willie M., et al. v. Martin, et al., formerly Willie M., et al. v. Hunt, et al. To ensure that Willie M. Class members are appropriately served, no State funds shall be expended on placement and services for Willie M. Class members except:

- (1) Funds specifically appropriated by the General Assembly for the placement and services of Willie M. Class members; and
- (2) Funds for placement and services for which Willie M. Class members are otherwise eligible.

This limitation shall not preclude the use of unexpended Willie M. funds from prior fiscal years to cover current or future needs of the Willie M. program subject to approval by the Director of the Budget. These Willie M. expenditures shall not be subject to the requirements of G.S. 143-18.

(i) Notwithstanding any other provision of law, if the Department of Human Resources determines that a local program is not providing appropriate services to members of the class identified in Willie M., et al. v. Martin, et al., formerly Willie M., et al. v. Hunt, et al., the Department may ensure the provision of these services through contracts with public or private agencies or by direct operation by the Department of such programs.

(j) The Department of Human Resources and the Department of Public Instruction shall submit a plan to the General Assembly by April 1, 1992, outlining specific steps that are to be taken, within a specified time period, and within existing resources, to meet its obligation of providing appropriate services to class members. As part of this plan, the Department shall propose when and how the Willie M. program shall become fully self-regulating and self-monitoring.

Requested by: Representatives Nye, Easterling, Senator Richardson

-----WILLIE M. AUDIT CONTINUED

Sec. 108. The Office of State Auditor shall conduct a follow-up study of its 1990 performance audit of the Willie M. program to determine, along with other issues the Auditor considers appropriate, the following:

- (1) To what extent the range of reimbursement rates paid to area programs for similar types of services has been reduced;

- (2) To what extent the process implemented by the Department of Human Resources to review high-cost Willie M. clients has been effective in reducing the number of these clients and the costs of providing these clients services; and
- (3) To what extent a client evaluation process has been implemented by the Department of Human Resources and with what results.

The Auditor may also conduct an analysis of costs associated with providing services to a sample of clients, including high-cost clients, to determine the justification of the costs incurred. The Auditor shall submit the findings of this follow-up study of the Willie M. program to the General Assembly by February 15, 1993.

Requested by: Representatives Easterling, Nye, Senator Richardson
-----THOMAS S.

Sec. 109. (a) Funds appropriated to the Department of Human Resources in this Title for the 1991-92 fiscal year and the 1992-93 fiscal year for members of the Thomas S. Class as identified in Thomas S., et al. v. Flaherty, shall be placed in a reserve in the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, and shall be expended only for programs serving Thomas S. Class members or for services for those clients who are likely to become class members. To ensure that Thomas S. Class members are appropriately served, no State funds shall be expended on placement and services for Thomas S. Class members except:

- (1) Funds specifically appropriated by the General Assembly for the placement and services of Thomas S. Class members; and
- (2) Funds for placement and services for which Thomas S. Class members are otherwise eligible.

(b) The Department of Human Resources shall provide periodic reports of funds expended and services performed on behalf of members of the Thomas S. Class and on behalf of those clients who are likely to become class members to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division of the Legislative Services Office.

(c) Notwithstanding any other provision of law, if the Department of Human Resources determines that a local program is not providing minimally adequate services to members of the class identified in Thomas S., et al. v. Flaherty, the Department may ensure the provision of these services through contracts with public or private agencies or by direct operation by the Department of such programs.

Requested by: Representatives Nye, Easterling, Senator Richardson
-----TRANSFERS OF CERTAIN FUNDS AUTHORIZED

Sec. 110. In order to assure maximum utilization of funds in county departments of social services, county or district health agencies, and area mental health, mental retardation, and substance abuse authorities, the Director of the Budget is authorized to transfer excess funds appropriated to a specific service or program or fund, whether specified in a block grant plan or General Fund appropriation, into another service or program or fund for local services within the budget of the respective State agency.

The Office of State Budget and Management shall report quarterly to the Joint Legislative Commission on Governmental Operations on each transfer authorized by this section.

Requested by: Representatives Easterling, Nye, Senator Richardson

-----MIXED BEVERAGE TAX FOR AREA MENTAL HEALTH PROGRAMS

Sec. 111. Funds received by the Department of Human Resources from the tax levied on mixed beverages under G.S. 18B-804(b)(8) shall be expended by the Department of Human Resources as prescribed by G.S. 18B-805(h). These funds shall be matched by local funds in accordance with the State/local ratio established by the current area mental health matching formula. These funds shall be allocated to the area mental health programs for substance abuse services on a per capita basis

as determined by the Office of State Budget and Management's most recent estimates of county populations.

Requested by: Representatives Nye, Easterling, Senator Richardson

-----ADAP TRANSPORTATION FUNDS

Sec. 112. (a) Reimbursement of Adult Developmental Activity Programs for transportation of clients shall be based on a cost per client basis. There shall be different levels of reimbursement based on documented cost levels.

(b) In reimbursing Adult Developmental Activity Programs, the Department of Human Resources shall base the reimbursement on the distribution by cost range developed by the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services in accordance with its most recently conducted cost study.

Requested by: Representatives Easterling, Nye, Senator Richardson

-----SPECIALIZED RESIDENTIAL CENTERS' BED CONVERSION

Sec. 113. Funds made available as a result of the conversion of State supported beds in specialized residential centers to ICF/MR beds shall be used to increase the State subsidy provided to centers. Funds made available to centers by this section shall be used, as they become available, to increase the subsidy rate to sixty-five percent (65%) of the statewide average cost of providing this service based on the most recent Specialized Community Residential Cost Study.

Funds made available in addition to those needed to increase the subsidy rate may be transferred to the Department of Human Resources, Division of Medical Assistance, as needed to be used as a State match for the converted ICF/MR beds.

Requested by: Representatives Nye, Easterling, Senator Richardson

-----LIABILITY INSURANCE

Sec. 114. The Secretary of the Department of Human Resources, the Secretary of the Department of Environment, Health, and Natural Resources, and the Secretary of the Department of Correction may provide medical liability coverage not to exceed \$1,000,000 on behalf of employees of the Departments licensed to practice medicine or dentistry. This coverage may include commercial insurance or self-insurance and shall cover these employees for their acts or omissions only while they are engaged in providing medical and dental services pursuant to their State employment.

The coverage provided under this section shall not cover any employee for any act or omission that the employee knows or reasonably should know constitutes a violation of the applicable criminal laws of any state or the United States, or that arises out of any sexual, fraudulent, criminal, or malicious act, or out of any act amounting to willful or wanton negligence.

The coverage provided pursuant to this section shall not require any additional appropriations and shall not apply to any individual providing contractual service to the Department of Human Resources, the Department of Environment, Health, and Natural Resources, or the Department of Correction.

Requested by: Representatives Easterling, Nye, Senator Richardson

-----NON-MEDICAID REIMBURSEMENT

Sec. 115. Providers of medical services under the various State programs, other than Medicaid, offering medical care to citizens of the State shall be reimbursed at rates no more than those under the North Carolina Medical Assistance Program.

The Department of Human Resources may reimburse hospitals at the full prospective per diem rates without regard to the Medical Assistance Program's annual limits on hospital days. When the Medical Assistance Program's per diem rates for inpatient services and its interim rates for outpatient services are used to reimburse providers in non-Medicaid medical service programs, retroactive adjustments to claims already paid shall not be required.

Notwithstanding the provisions of paragraph one of this section, the Department of Human Resources may negotiate with providers of medical services under the various Department of Human Resources' programs, other than Medicaid, for

rates as close as possible to Medicaid rates for the following purposes: contracts or agreements for medical services and purchases of medical equipment and other medical supplies. These negotiated rates are allowable only to meet the medical needs of its non-Medicaid eligible patients, residents, and clients who require these services that cannot be provided when limited to the Medicaid rate.

Maximum net family annual income eligibility standards for services in these programs shall be as follows:

Family Size	Medical Eye Care Adults	All Rehabilitation	Other
1	\$4,860	\$ 8,364	\$4,200
2	5,940	10,944	5,300
3	6,204	13,500	6,400
4	7,284	16,092	7,500
5	7,824	18,648	7,900
6	8,220	21,228	8,300
7	8,772	21,708	8,800
8	9,312	22,220	9,300

The eligibility level for children in the Medical Eye Care Program in the Division of Services for the Blind shall be one hundred percent (100%) of the federal poverty guidelines, as revised annually by the United States Department of Health and Human Services and in effect on July 1 of each fiscal year.

The Department of Human Resources shall contract at, or as close as possible to, Medicaid rates for medical services provided to residents of State facilities of the Department.

Requested by: Representatives Nye, Easterling, Senator Richardson

-----JOHN UMSTEAD HOSPITAL - PLANNING

Sec. 116. The Department of Human Resources may use funds that become available to it through gifts, federal or private grants, receipts from federal programs, or any other source in the 1991-92 fiscal year, for advance planning through the working drawings phase for a psychiatric facility at John Umstead Hospital.

Requested by: Representatives Easterling, Nye, Senator Richardson

-----DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES BUDGET CODE CONSOLIDATION

Sec. 117. Subject to the approval of the Office of State Budget and Management, in order to operate more efficiently, the Department of Human Resources may consolidate the appropriate budget codes of the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services and the institutions operated by the Division. Any consolidation shall ensure that each institution budget is clearly identifiable as a separate fund within the consolidated budget code or codes. To implement this change, the General Assembly approves the current budget code structure of the Division's and institutions' budgets for the 1991-93 fiscal biennium and authorizes the Department to proceed with appropriate consolidation of these budget codes during the 1991-93 fiscal biennium.

Requested by: Representatives Nye, Easterling, Senator Richardson

-----DEVELOPMENTAL DAY CENTERS GRANT-IN-AID

Sec. 118. Of the funds appropriated in this Title, to the Department of Human Resources, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, the sum of \$2,260,470 for the 1991-92 fiscal year is transferred to the Department of Public Instruction for handicapped children aged 3 through 4 years who have been identified through Division of Mental Health, Developmental Disabilities, and Substance Abuse Services statewide services and who are served in developmental day centers. These funds shall be used to contract with area mental health, developmental disabilities, and substance abuse authorities or with public or private nonprofit developmental day centers to continue to serve handicapped children aged 3 through 4 years who are identified as needing developmental day services.

The Department of Public Instruction shall report to the General Assembly and to the Fiscal Research Division by May 1, 1992, regarding the use of the funds transferred to it by this section.

Requested by: Representatives Easterling, Nye, Senator Richardson

-----CAREGIVER SUPPORT SHARING

Sec. 119. (a) Of the funds appropriated to the Division of Aging, Department of Human Resources, by this Title for the 1991-93 fiscal biennium, the sum of \$1,008,000 for the 1991-92 fiscal year and the sum of \$1,008,000 for the 1992-93 fiscal year shall be used for services that support family caregivers of elderly persons with functional disabilities, whether physical or mental, who want to stay in their homes rather than be institutionalized but who need assistance with the activities of daily living in order to remain at home. The services that may be purchased from funds received under this section include:

- (1) Respite Care;
- (2) Adult Day Care;
- (3) Stipends and other related costs for senior companions, modeled after the federal Senior Companion Program; and
- (4) Other related services that meet needs not now adequately addressed by the services described in subdivisions (1) through (3) of this subsection.

(b) The Division of Aging shall expend funds for these services according to the population of persons 70 years of age or older in each region. The Division of Aging shall use a maximum of ninety-five percent (95%) of the funds it receives under this section for the services described in subdivisions (1) through (4) of subsection (a) of this section and may only use a maximum of five percent (5%) for technical assistance as described in subsection (c) of this section. The Division of Aging shall choose providers in accordance with procedures under the Older Americans Act. Funds allocated by the Division pursuant to this section shall be allocated by October 1 of each fiscal year. Effective July 1, 1992, local matching requirements shall be no less than ten percent (10%). State funding shall not exceed ninety percent (90%) of the reimbursable costs.

(c) The Division of Aging may contract for technical assistance. The technical assistance shall include training assistance, coordination of various service delivery and funding sources, and ideas for innovative ways to build a lasting system of services for family caregivers.

Requested by: Representatives Nye, Easterling, Senator Richardson

-----IN-HOME AGING SERVICES

Sec. 120. Of the funds appropriated to the Division of Aging, Department of Human Resources, by this Title for the 1991-93 fiscal biennium, the sum of \$720,000 for the 1991-92 fiscal year and the sum of \$720,000 for the 1992-93 fiscal year shall be used to provide funds for additional in-home aide services that enable the frail elderly to remain in their homes and avoid institutionalization.

The Division shall administer the in-home aide services and activities funded by this section. The Division of Aging shall choose in-home service providers in accordance with procedures under the Older Americans Act and shall include the following criteria: documented capacity to provide care, adequacy of quality assurance, training, supervision, abuse prevention complaint mechanisms, and costs. All funds allocated by the Division pursuant to this section shall be allocated by October 1 of each fiscal year on the same basis as funding under the Older Americans Act. Effective July 1, 1992, local matching requirements shall be no less than ten percent (10%). State funding shall not exceed ninety percent (90%) of the reimbursable costs.

Requested by: Representatives Easterling, Nye, Senator Richardson

-----SENIOR CENTER OUTREACH

Sec. 121. (a) Of the funds appropriated to the Department of Human Resources, Division of Aging, by this Title for the 1991-93 fiscal biennium, \$403,800

for the 1991-92 fiscal year and \$403,800 for the 1992-93 fiscal year shall be used by the Division of Aging to enhance senior center programs as follows:

- (1) To test "satellite" services provided by existing senior centers to unserved or underserved areas; or
- (2) To provide start-up funds for new senior centers.

All of these funds shall be allocated by October 1 of each fiscal year.

(b) Prior to funds being allocated pursuant to this section for start-up funds for a new senior center, the county commissioners of the county in which the new center will be located shall:

- (1) Formally endorse the need for such a center;
- (2) Formally agree on the sponsoring agency for the center; and
- (3) Make a formal commitment to use local funds to support the ongoing operation of the center.

(c) Effective July 1, 1992, local matching requirements shall be no less than ten percent (10%). State funding shall not exceed ninety percent (90%) of reimbursable costs.

Requested by: Representatives Nye, Easterling, Senator Richardson

-----FUNDS TO MATCH FEDERAL FUNDS FOR AGING

Sec. 122. The Division of Aging, Department of Human Resources, may use funds appropriated in this Title to provide the State matching requirement necessary to draw down federal money available through Title III-D of the Older Americans Act for in-home services for the frail elderly, including those with Alzheimer's Disease.

Requested by: Representatives Easterling, Nye, Senator Richardson

-----DAY CARE FUNDS MATCHING REQUIREMENT

Sec. 123. No local matching funds may be required by the Department of Human Resources as a condition of any locality's receiving any State day care funds appropriated by this act unless federal law requires such a match.

Requested by: Representatives Nye, Easterling, Senator Richardson

-----DAY CARE

Sec. 124. The Department of Human Resources shall distribute the funds appropriated and otherwise available to it for the purchase of slots in day care for minor children of needy families so as to serve the greatest number of children possible.

Requested by: Representatives Easterling, Nye, Senator Richardson

-----DAY CARE RATES

Sec. 125. (a) Rules for the monthly schedule of payments for the purchase of day care services for low-income children shall be established by the Social Services Commission pursuant to G.S. 143B-153(8)a., in accordance with the following requirements:

- (1) For day care facilities, as defined in G.S. 110-86(3), in which fewer than fifty percent (50%) of the enrollees are subsidized by State or federal funds, the State shall continue to pay the same fee paid by private paying parents for a child in the same age group in the same facility.
- (2) Facilities in which fifty percent (50%) or more of the enrollees are subsidized by State or federal funds may choose annually one of the following payment options:
 - a. The facility's payment rate for fiscal year 1985-86; or
 - b. The market rate, as calculated annually by the Division of Facility Services' Child Day Care Section in the Department of Human Resources.
- (3) A market rate shall be calculated for each county and for each age group or age category of enrollees and shall be representative of fees charged to unsubsidized private paying parents for each age group of enrollees within the county. The county market rates shall be calculated from facility fee schedules collected by the Child Day Care Section on a routine basis.

The Section shall also calculate a statewide market rate for each age category. The Social Services Commission shall adopt rules to establish minimum county rates that use the statewide market rates as a reference point.

- (4) Child day care homes as defined in G.S. 110-86(4) and individual child care arrangements may be paid the market rate for day care homes which shall be calculated at least biennially by the Child Day Care Section according to the method described in subsection (a)(3) of this section.

(b) Facilities licensed pursuant to Article 7 of Chapter 110 of the General Statutes may participate in the program that provides for the purchase of care in day care facilities for minor children of needy families. No separate licensing requirements may be used to select facilities to participate.

Day care homes from which the State purchases day care services shall meet the standards established by the Child Day Care Commission pursuant to G.S. 110-101 and G.S. 110-105.1. Individual child care arrangements shall meet the requirements established by the Social Services Commission.

(c) County departments of social services shall continue to negotiate with day care providers for day care services below those rates prescribed by subsection (a) of this section. County departments are directed to purchase day care services so as to serve the greatest number of children possible with existing resources.

(d) To simplify current day care allocation methodology and more equitably distribute State day care funds, the Department of Human Resources shall apply the following allocation formula to all noncategorical federal and State day care funds used to pay the costs of necessary day care for minor children of needy families:

- (1) One-third of budgeted funds shall be distributed according to the county's population in relation to the total population of the State;
- (2) One-third of the budgeted funds shall be distributed according to the number of children under 6 years of age in a county who are living in families whose income is below the State poverty level in relation to the total number of children under 6 in the State in families whose income is below the poverty level; and
- (3) One-third of budgeted funds shall be distributed according to the number of working mothers with children under 6 years of age in a county in relation to the total number of working mothers with children under 6 in the State.

(e) Counties whose allocation, if based on previously used formulas, exceeds the allocation produced by the formula prescribed by this section may not have their allocations reduced to the level that results from application of the new formula. Counties whose allocation, if based on previously used formulas, is less than the allocation produced by the formula prescribed by this section shall continue to receive the proportional share of those funds that they received pursuant to appropriations for this purpose by the 1985 General Assembly. The formula prescribed by this section shall not be implemented unless additional State or federal funds are made available. The additional funds must be sufficient to apply the new formula without reducing any county's allocation below the previous year's initial allocation for child day care.

Requested by: Representatives Nye, Easterling, Senator Richardson

-----COMMUNITY ACTION PROGRAM FUNDS

Sec. 126. For the 1991-92 fiscal year and the 1992-93 fiscal year, all agencies designated as eligible agencies pursuant to G.S. 108A-24 that receive Community Service Block Grant Funds may use those funds for the administration of agency programs. The amount of those funds used for administration of agency programs shall be limited to ten percent (10%) of the total annual budget of the agency as certified in the prior year's audit of the agency. The Department of Human Resources shall report annually to the Joint Legislative Commission on Governmental Operations and the House and Senate Appropriations Subcommittees on Human

Resources beginning October 1, 1991, on the use of Community Service Block Grant Funds for administration of agency programs. The report shall show:

- (1) The total budget for each community action agency or limited purpose agency by program-funding source;
- (2) The amount of funds for administration provided by each program;
- (3) The criteria for determining the amount of funds used for administrative expenses; and
- (4) The number of persons served by each program.

Requested by: Representatives Easterling, Nye, Senator Richardson

-----DOMICILIARY RATE INCREASE

Sec. 127. Effective July 1, 1991, the maximum monthly rate for ambulatory residents in domiciliary care facilities shall be \$766.00 and the maximum monthly rate for semiambulatory residents shall be \$803.00. Effective July 1, 1992, the maximum monthly rates for ambulatory residents shall be increased to \$777.00 and for semiambulatory residents to \$814.00.

Requested by: Representatives Nye, Easterling, Senator Richardson

-----DOMICILIARY STATE/COUNTY SHARE OF COSTS

Sec. 128. Article 3 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"§ 143B-139.5. Department of Human Resources: domiciliary State/county share of costs.

State funds available to the Department of Human Resources shall pay fifty percent (50%), and the counties shall pay fifty percent (50%) of the authorized rates for domiciliary care in homes for the aged and for family care homes including area mental health agency-operated or contracted-group homes."

Requested by: Representatives Easterling, Nye, Senator Richardson

-----DHR EMPLOYEES/IN-KIND MATCH

Sec. 129. Notwithstanding the limitations of G.S. 143B-139.4, the Secretary of the Department of Human Resources may assign employees of the Office of Rural Health and Resource Development to serve as in-kind match to nonprofit corporations working to establish health care programs that will improve health care access while controlling costs.

Requested by: Representatives Nye, Easterling, Senator Richardson

-----NO EYE CLINICS IN CERTAIN COUNTIES

Sec. 130. No funds may be expended by the Division of Services for the Blind, Department of Human Resources, to hold eye clinics in any county in which an optometrist or ophthalmologist is willing to perform the services that would otherwise be performed by the clinic.

Requested by: Representatives Easterling, Nye, Senator Richardson

-----COMMUNITY-BASED ALTERNATIVES PARTICIPATION

Sec. 131. County governments participating in the Community-Based Alternatives Program shall certify annually to the Division of Youth Services, Department of Human Resources, that Community-Based Alternatives Aid to Counties shall not be used to duplicate or supplant other programs within the county.

Requested by: Representatives Nye, Easterling, Senator Richardson

-----DEPARTMENT OF HUMAN RESOURCES PROGRAM FUNDS

Sec. 132. Notwithstanding the provisions of G.S. 143-23, the Secretary of the Department of Human Resources, with the approval of the Office of State Budget and Management, may use, to the extent possible, any funds appropriated or otherwise available to the Department in the 1991-92 fiscal year for the Mental Health Accounts Receivable/Billing System.

Requested by: Representatives Easterling, Nye, Senator Richardson

-----SHORT-TERM LOAN FUND FOR INTERMEDIATE CARE FACILITIES/MENTAL RETARDATION FACILITIES

Sec. 133. The Department of Human Resources may use funds that become available to it through gifts, federal or private grants, receipts from federal programs, or any other resource to develop a revolving short-term loan fund to assist area mental health, developmental disabilities, and substance abuse programs and their non-profit contract agencies in establishing community ICF/MR facilities.

Requested by: Representatives Nye, Easterling, Senator Richardson

-----EXPANSION OF THE TARGET POPULATION FOR TASC SERVICES

Sec. 134. Treatment Alternatives to Street Crimes (TASC) services may include mentally ill offenders as well as substance abusing offenders.

Requested by: Representatives Easterling, Nye, Senator Richardson

-----CONVERSION OF MURDOCH CENTER BEDS TO INTERMEDIATE CARE FACILITY/MENTAL RETARDATION UNITS

Sec. 134.1. (a) The Division of Mental Health, Developmental Disabilities, and Substance Abuse Services may use State funds made available from the conversion of units at Murdoch Center to Intermediate Care Facility/Mental Retardation units in order to expand community-based services as specified in the Mental Health Study Commission plans adopted by the General Assembly.

(b) This section expires June 30, 1993.

Requested by: Representatives Easterling, Nye, Senator Richardson

-----DHR AUTHORIZATION FOR USE OF AVAILABLE FUNDS FOR RECRUITMENT OF HEALTH CARE PROFESSIONALS

Sec. 135. G.S. 122C-112(b) reads as rewritten:

"(b) The Secretary may:

- (1) Acquire by purchase or otherwise in the name of the Department equipment, supplies, and other personal property necessary to carry out the mental health, developmental disabilities, and substance abuse programs;
- (2) Sponsor training opportunities in the fields of mental health, developmental disabilities, and substance abuse;
- (3) Promote and conduct research in the fields of mental health, developmental disabilities, and substance abuse;
- (4) Provide technical assistance for the development and improvement of prevention services;
- (5) Receive donations of money, securities, equipment, supplies, or any other personal property of any kind or description which shall be used by the Secretary for the purpose of carrying out mental health, developmental disabilities, and substance abuse programs. Any donations shall be reported to the Office of State Budget and Management as determined by that office;
- (6) Accept, allocate, and spend any federal funds for mental health, developmental disabilities, and substance abuse activities that may be made available to the State by the federal government. This Chapter shall be liberally construed in order that the State and its citizens may benefit fully from these funds. Any federal funds received shall be deposited with the State Treasurer and shall be appropriated by the General Assembly for the mental health, developmental disabilities, or substance abuse purposes specified;
- (7) Enter agreements authorized by G.S. 122C-346;
- (8) Accept, allocate, and spend funds from the United States Department of Defense to operate mental health demonstration projects for families of the uniformed services. Demonstration projects shall be operated through an area authority. The operation of these demonstration

projects may be accomplished through subcontracts with one or more private sector ~~providers~~, providers; and

- (9) Authorize funds for contracting with a person, firm, or corporation for aid or assistance in locating, recruiting, or arranging employment of health care professionals in any facility listed in G.S. 122C-181, notwithstanding the provisions of G.S. 126-18."

Requested by: Representatives Nye, Easterling, Senator Richardson

-----WILLIE M. SECURE TREATMENT FACILITY AUTHORIZATION

Sec. 136. G.S. 122C-181(a) reads as rewritten:

"(a) Except as provided in subsection (b) of this section, the Secretary shall operate the following facilities:

- (1) For the mentally ill:
 - a. Cherry Hospital;
 - b. Dorothea Dix Hospital;
 - c. John Umstead Hospital; and
 - d. Broughton Hospital; and
- (2) For the mentally retarded:
 - a. Caswell Center;
 - b. O'Berry Center;
 - c. Murdoch Center;
 - d. Western Carolina Center; and
 - e. Black Mountain Center; and
- (3) For substance abusers:
 - a. Walter B. Jones Alcohol and Drug Abuse Treatment Center at Greenville;
 - b. Alcohol and Drug Abuse Treatment Center at Butner; and
 - c. Alcohol and Drug Abuse Treatment Center at Black Mountain; and
- (4) As special care facilities:
 - a. Wilson Special Care Center;
 - b. Whitaker School; and
 - c. Wright School. School; and
 - d. Butner Adolescent Treatment Center."

Requested by: Representatives Nye, Easterling, Senator Richardson

-----EARLY EDUCATION/HANDICAPPED/FUNDS

Sec. 137. The Department of Human Resources shall ensure that, by October 1, 1991, all types of early intervention services referenced in G.S. 122C-3(13a), and any other such services the Secretary of Human Resources, in cooperation with the other appropriate agencies and upon the advice of the Interagency Coordinating Council for Handicapped Children from Birth to Five Years of Age, considers necessary, shall be available to all eligible infants and toddlers and their families, as defined in G.S. 122C-3(13a).

Requested by: Representatives Easterling, Nye, Diamont, Senator Richardson

-----CHILD PROTECTIVE SERVICES NON-SUPLANT REQUIREMENT

Sec. 138. The Department of Human Resources, Division of Social Services shall ensure that local county departments of social services do not reduce federal fund disbursements or county appropriations for child protective services because they have received State appropriations for that purpose. The Department shall monitor local agency compliance with this provision and report its findings to the General Assembly by May 1, 1992.

PART 23.-----DEPARTMENT OF AGRICULTURE

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt

-----AGRICULTURE TO MARKET FOREST PRODUCTS

Sec. 139. The Department of Agriculture shall market forest products through the Department's marketing programs.

PART 24.-----DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt

-----MAIN STREET PROGRAM RESTRICTIONS

Sec. 140. (a) G.S. 143B-472.35(e) reads as rewritten:

"(e) A Main Street City that is selected may not receive a grant plus any loans pursuant to this act totaling less than ~~one hundred thousand dollars (\$100,000)~~ twenty thousand dollars (\$20,000) or more than three hundred thousand dollars (\$300,000)."

(b) Notwithstanding G.S. 143B-472.35(b), the Department of Economic and Community Development may transfer not more than \$40,000 of interest earnings credited to the Main Street Financial Incentive Fund pursuant to G.S. 143B-472.35(a), from the Fund to the North Carolina Main Street Center Program operating budget for fiscal year 1991-92.

(c) Notwithstanding G.S. 143B-472.35, the Department of Economic and Community Development shall transfer \$100,000 of interest earnings in the Main Street Financial Incentive Fund from the Fund to the General Fund for fiscal year 1991-92. The Department shall transfer funds pursuant to this subsection on July 1, 1991.

Requested by: Representatives Ethridge, H. Hunter, DeVane, Senator Martin of Pitt

-----WORKER TRAINING TRUST FUND

Sec. 141. (a) There is appropriated from the Worker Training Trust Fund to the Employment Security Commission of North Carolina the sum of \$5,459,673 for the 1991-92 fiscal year and the sum of \$6,059,673 for the 1992-93 fiscal year for the operation of local offices at the 1986-87 level of service.

(b) Notwithstanding G.S. 96-5(c), there is appropriated from the Special Employment Security Administration Fund to the Employment Security Commission of North Carolina, the sum of \$2,000,000 for the 1991-92 fiscal year and the sum of \$2,000,000 for the 1992-93 fiscal year for administration of the Veterans Employment Program, Employment Services Program, and Unemployment Insurance Program.

(c) Supplemental federal funds or other additional funds received by the Employment Security Commission for similar purposes shall be expended prior to the expenditure of funds appropriated by this section.

(d) Notwithstanding the provisions of G.S. 96-5(f), there is appropriated from the Worker Training Trust Fund to the following agencies the following sums for the 1991-92 and the 1992-93 fiscal years for the following purposes:

- (1) \$3,000,000 for the 1991-92 fiscal year and \$2,400,000 for the 1992-93 fiscal year to the Department of Economic and Community Development, Division of Employment and Training, for the Employment and Training Grant Program.
- (2) \$500,000 for the 1991-92 fiscal year and \$500,000 for the 1992-93 fiscal year to the North Carolina Department of Labor for customized training of the unemployed and the working poor for specific jobs needed by employers through the Department's Pre-Apprenticeship Division.
- (3) \$2,000,000 for the 1991-92 fiscal year and \$2,000,000 for the 1992-93 fiscal year to the North Carolina Department of Human Resources to assist welfare recipients in gaining employment through the federally funded Job Opportunities and Basic Skills Program in such a way as to gain the maximum match of federal funds for the State dollars appropriated.
- (4) \$1,250,000 for the 1991-92 fiscal year and \$1,250,000 for the 1992-93 fiscal year to the North Carolina Department of Community Colleges to

continue the Focused Industrial Training Program.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt
 -----WORKER TRAINING TRUST FUND/REVERSION OF FUNDS

Sec. 142. G.S. 96-5(f) reads as rewritten:

"(f) Employment Security Commission Reserve Fund. — There is created in the State treasury a special trust fund, separate and apart from all other public moneys or funds of this State, to be known as the Employment Security Commission Reserve Fund, hereinafter 'Reserve Fund'. Except as provided herein and in G.S. 96-9(b)(3)j, all proceeds from the tax as defined in G.S. 96-9(b)(3)j and collected pursuant to G.S. 96-10 shall be paid into the Reserve Fund. The moneys in the Reserve Fund may be used by the Commission for loans to the Unemployment Insurance Fund, as security for loans from the federal Unemployment Insurance Trust Fund, and to pay any interest required on advances under Title XII of the Social Security Act as required by G.S. 96-6(f), and shall be continuously available to the Commission for expenditure in accordance with the provisions of this section. The State Treasurer shall be ex officio the treasurer and custodian and shall invest said moneys in accordance with existing law as well as rules and regulations promulgated pursuant thereto. Furthermore, the State Treasurer shall disburse the moneys in accordance with the directions of the Commission and in accordance with such regulations as the Commission may prescribe.

Administrative costs for the collection of the tax and interest payable to the Reserve Fund shall be borne by the Special Employment Administration Fund. Refunds of interest and tax allowable under G.S. 96-9(b)(3)j shall be made from the Reserve Fund. No taxes shall be collected or paid into this fund during a calendar year when, as of the computation date (August 1) of the preceding calendar year, the balance of the fund equals to or exceeds one percent (1%) of the taxable wages.

The interest earned from investment of the Reserve Fund moneys shall be deposited in a fund hereby established in the State Treasurer's Office, to be known as the 'Worker Training Trust Fund'. These moneys shall be used to:

- (1) Fund programs, specifically for the benefit of unemployed workers or workers who have received notice of long-term layoff or permanent unemployment, which will enhance the employability of workers, including, but not limited to, adult basic education, adult high school or equivalency programs, occupational skills training programs, assessment, job counseling and placement programs;
- (2) Continue operation of local Employment Security Commission offices throughout the State; or
- (3) Provide refunds to employers.

The use of funds from the Worker Training Trust Fund, for the purposes set out in the above paragraph, shall be pursuant to appropriations in the Current Operations Appropriations Act. Funds deposited in the Worker Training Trust Fund prior to July 1, 1987, shall be used as provided in the Current Operations Appropriations Act for 1987-89. Funds appropriated from the Worker Training Trust Fund that are unexpended and unencumbered at the end of the fiscal year for which they are appropriated shall revert to the State treasury to the credit of the Worker Training Trust Fund in accordance with G.S. 143-18."

Requested by: Representatives H. Hunter, Ethridge, DeVane, Senator Martin of Pitt

-----UTILITIES REGULATORY FEE

Sec. 143. The percentage rate to be used in calculating the public utility regulatory fee under G.S. 62-302(b)(2) is nine hundredths percent (0.09%) of each public utility's North Carolina jurisdictional revenues earned during each quarter that begins on or after July 1, 1991.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt

-----TOURISM PROMOTION FUNDS

Sec. 144. Funds appropriated in this Title to the Department of Economic and Community Development for tourism promotion grants shall be allocated according to per capita income, unemployment, and population growth in an effort to direct funds to counties most in need in terms of lowest per capita income, highest unemployment, and slowest population growth, in the following manner:

- (1) Counties 1 through 20 are each eligible to receive a maximum grant of \$7,500 for each fiscal year, provided these funds are matched on the basis of one non-State dollar for every four State dollars.
- (2) Counties 21 through 50 are each eligible to receive a maximum grant of \$3,500 for two of the next three fiscal years, provided these funds are matched on the basis of one non-State dollar for every three State dollars.
- (3) Counties 51 through 100 are each eligible to receive a maximum grant of \$3,500 for alternating fiscal years, beginning with the 1991-92 fiscal year, provided these funds are matched on the basis of four non-State dollars for every State dollar.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt
 -----PETROLEUM OVERCHARGE ATTORNEY FEES

Sec. 145. (a) Unless prohibited by federal law, rule, or regulation or preexisting settlement agreement, no later than October 1, 1989, the North Carolina Attorney General shall direct the withdrawal of all funds received in the cases of United States v. Exxon and Stripper Well that are held in accounts or reserves located out-of-State for payment of attorney fees and reasonable expenses incurred in connection with oil overcharge litigation authorized by the Attorney General. The Attorney General shall deposit these funds, and all funds to be received from petroleum overcharge funds in the future for attorney fees and reasonable expenses, into the Special Reserve for Oil Overcharge Funds.

(b) All attorney fees and reasonable expenses incurred in connection with oil overcharge litigation shall be paid by the State Treasurer from petroleum overcharge funds that have been received by this State and deposited into the Special Reserve for Oil Overcharge Funds.

(c) Notwithstanding any other provision of law, the Attorney General may authorize the payment of attorney fees and reasonable expenses from the Special Reserve for Oil Overcharge Funds without further action of the General Assembly and funds are hereby appropriated from the Special Reserve for Oil Overcharge Funds for the 1991-92 fiscal year and for the 1992-93 fiscal year for that purpose.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt
 -----NORTH CAROLINA MANUFACTURING DIRECTORY PROCEEDS

Sec. 146. (a) The Department of Economic and Community Development may expend for industrial promotional advertising any amount collected from the sales of the North Carolina Manufacturing Directory above the sum of \$155,000 already budgeted for the 1991-92 and 1992-93 fiscal years.

(b) Beginning October 1, 1991, the Department shall submit quarterly reports to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division. These reports shall include the amount of proceeds collected from the sales of the Directory and the amount spent on advertising pursuant to the provisions of this section.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt
 -----INDUSTRIAL DEVELOPMENT FUND/LOCAL MATCH

Sec. 147. Local governments requesting financial assistance from the Industrial Development Fund shall demonstrate to the satisfaction of the Department of Economic and Community Development that it would be an economic hardship for the local government to match State assistance from the Fund with local funds. The Department shall develop guidelines for determining hardship.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt
-----BIOTECHNOLOGY CENTER

Sec. 148. (a) The North Carolina Biotechnology Center may recapture funds spent in support of successful research efforts in the nonacademic private sector.

(b) The North Carolina Biotechnology Center shall provide funding for biotechnology and related bioscience applications under its Economic and Corporate Development Program.

(c) Beginning October 1, 1991, the North Carolina Biotechnology Center shall provide quarterly reports on all of the Center's programs to the Joint Legislative Commission on Governmental Operations. The initial report shall include information on the activities and accomplishments during the past fiscal year, itemized expenditures during the past fiscal year with sources of funding, planned activities and accomplishments for at least the next 12 months, and itemized anticipated expenditures with sources of funding for the next 12 months. Subsequent reports shall include quarterly updates of the initial report.

(d) The North Carolina Biotechnology Center shall provide a report containing detailed budget, personnel, and salary information to the Office of State Budget and Management and to the Fiscal Research Division in the same manner as State Departments and agencies in preparation for biennium budget requests.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt
-----MCNC

Sec. 149. (a) MCNC shall present a written report on the progress of the supercomputer program on a quarterly basis to the Joint Legislative Commission on Governmental Operations through fiscal years 1991-92 and 1992-93. The written reports shall contain at least the following information: the major accomplishments since the last report; the major activities expected for the project for the next 12 months after the date of the report; the major applications and uses on the supercomputer in the time since the last report; and, the major projected applications and uses on the supercomputer in the next six months after the date of the report. The report shall constitute a full management and status report on the supercomputer project.

(b) The Board of Directors of MCNC shall be the governing body for the supercomputer program.

(c) If MCNC specifies a Technical Advisory Council to provide to the supercomputer project, among other things:

- (1) Technical policy and operating procedure advice,
- (2) Advice concerning use of the supercomputing facilities by educational institutions and other groups and individuals,
- (3) Advice and policy suggestions concerning the structures and operations of the supercomputing center and any adjunct institutes, conferences, or consultative committees, and
- (4) Advice and counsel to MCNC or anyone it employs or enters into contract with related to the operation of the supercomputer project,

that Technical Advisory Council shall have an equal number of members appointed from (i) public sector, academic, not-for-profit organizations and (ii) for-profit, private companies by July 31, 1991. The intent of the General Assembly is for one-half of the members of this Technical Advisory Council, or any group directly affiliated with the supercomputer project management group that performs the functions of the technical advisory council as listed in this section, to be current employees of private sector, for-profit corporations by July 31, 1991.

(d) It is the intent of the General Assembly that all appropriations to MCNC for all years after the 1990-91 fiscal year for the MCNC basic research program contain the proviso that the appropriated funds are matched on the basis of two non-State dollars (\$2.00) for every three State dollars (\$3.00).

(e) Beginning October 1, 1991, MCNC shall provide quarterly reports on all of its programs to the the Joint Legislative Commission on Governmental Operations, and the Fiscal Research Division. These reports shall include information on the

activities and accomplishments during the past fiscal year, itemized expenditures during the past fiscal year with sources of funding, planned activities and accomplishments for at least the next 12 months, and itemized anticipated expenditures with sources of funding for the next 12 months.

(f) MCNC shall provide a report containing detailed budget information to the Office of State Budget and Management in the same manner as State departments and agencies in preparation for biennium budget requests. Specific salary information will be provided upon written request by the Chairmen of the Joint Legislative Commission on Governmental Operations or the Chairmen of the House Appropriations Committee on Environment, Health, and Natural Resources and the Chairman of the Senate Appropriations Committee on Natural and Economic Resources.

Requested by: Representatives H. Hunter, Ethridge, DeVane, Senator Martin of Pitt

-----MCNC BUDGET LIMITS

Sec. 150. (a) The funds appropriated in this act to MCNC shall be used as follows:

	<u>FY 1991-92</u>	<u>FY 1992-93</u>
Microelectronics Program	\$ 6,194,302	\$ 6,000,000
Grants Program	-0-	-0-
Administration & Support	2,204,804	2,000,000
Supercomputer	5,298,063	5,224,705
Telecommunications	2,827,971	2,775,295

(b) Of the funds appropriated to MCNC for the Microelectronics Program, \$2,000,000 of the total appropriation in each fiscal year is contingent upon a dollar-for-dollar match in non-State funds.

(c) If MCNC finds it necessary to make changes in the program allocations specified in subsection (a) of this Section, MCNC shall report such changes to the Joint Legislative Commission on Governmental Operations within 30 days of the reallocation.

Requested by: Representatives Ethridge, H. Hunter, DeVane, Senator Martin of Pitt

-----RURAL ECONOMIC DEVELOPMENT CENTER

Sec. 151. (a) Of the funds appropriated in this Title to the Department of Economic and Community Development, \$1,500,000 for fiscal year 1991-92 and \$1,500,000 for fiscal year 1992-93 shall be used for a grant-in-aid to the Rural Economic Development Center, Inc., for the administrative costs of the Center and for its pilot projects and research. No more than \$300,000 of the funds appropriated for each fiscal year may be used for the administrative costs of the Rural Economic Development Center, Inc.

(b) Beginning October 1, 1991, the Rural Economic Development Center, Inc., shall provide quarterly reports on the Center's programs to the Joint Legislative Commission on Governmental Operations. The initial report shall include information on the activities and accomplishments during the past fiscal year, itemized expenditures during the past fiscal year with sources of funding, planned activities and accomplishments for at least the next 12 months, and itemized anticipated expenditures with sources of funding for the next 12 months. Subsequent reports shall include quarterly updates of the information in the initial report.

(c) The Rural Economic Development Center, Inc., shall provide a report containing detailed budget, personnel, and salary information to the Office of State Budget and Management in the same manner as State departments and agencies in preparation for biennium budget requests.

Requested by: Representatives Ethridge, H. Hunter, DeVane, Senator Martin of Pitt

-----RURAL ECONOMIC DEVELOPMENT CENTER FUND LIMITATIONS

Sec. 152. Not more than fifty percent (50%) of the interest earned on State funds appropriated to the Rural Economic Development Center, Inc., may be used by the Rural Economic Development Center, Inc., for administrative purposes, including salaries and fringe benefits.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt

-----FEDERAL FUNDS ADMINISTRATION

Sec. 153. G.S. 143B-431 is amended by adding the following new subsection to read:

"(d) The Department of Economic and Community Development, with the approval of the Governor, may apply for and accept grants from the federal government and its agencies and from any foundation, corporation, association, or individual and may comply with the terms, conditions, and limitations of such grants in order to accomplish the Department's purposes. Grant funds shall be expended pursuant to the Executive Budget Act. In addition, the Department shall have the following powers and duties with respect to its duties in administering federal programs:

- (1) To negotiate, collect, and pay reasonable fees and charges regarding the making or servicing of grants, loans, or other evidences of indebtedness.
- (2) To establish and revise by regulation, in accordance with Chapter 150B of the General Statutes, schedules of reasonable rates, fees, or charges for services rendered, including but not limited to, reasonable fees or charges for servicing applications. Schedules of rates, fees, or charges may vary according to classes of service, and different schedules may be adopted for public entities, nonprofit entities, private for-profit entities, and individuals."

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt

-----EMPLOYMENT AND TRAINING PROGRAM

Sec. 154. Chapter 143B of the General Statutes is amended by adding the following new section to read:

"§ 143B-438.6. Employment and Training Grant Program.

(a) There is established in the Department of Economic and Community Development, Division of Employment and Training, an Employment and Training Grant Program. The purpose of the program is to make grants available to local agencies operating on behalf of the Private Industry Council serving Job Training Partnership Act service delivery areas. Grant funds shall be allocated for the purpose of enabling recipient agencies to implement local employment and training programs in accordance with existing resources, local needs, local goals, and selected training occupations. The Department shall adopt rules in accordance with Chapter 150B of the General Statutes for administering the Employment and Training Grant Program, which rules shall include procedures for review and approval of grant applications by local agencies and for monitoring use of grant funds by recipient agencies. A State-administered program of performance standards shall be used to measure grant program outcomes.

(b) Use of grant funds: Local agencies may use funds received under this section only for the purpose of upgrading the foundation of basic skills of the adult population and the existing work force in North Carolina. Services that may be provided include participant programs currently available under the federal Job Training Partnership Act that are appropriate for adults; on-the-job training; work experience; adult basic education; skills training, upgrading, and retraining; counseling and screening for job placement; service corps; and related support services. Local agencies may use grant funds to provide services only to individuals who are 18 years of age or older and who either (i) meet the current Federal Job Training Partnership Act definition of 'economically disadvantaged', or (ii) meet the current definition for eligibility under Title III of the Federal Job Training Partnership Act.

(c) Allocation of grants: The Department may reserve and allocate up to five percent (5%) of funds available to the Employment and Training Grant Program for

State and local administrative costs to implement the program. The Division of Employment and Training shall allocate employment and training grants to local agencies operating on behalf of the Private Industry Council serving Job Training Partnership Act service delivery areas based on the following formula:

- (1) One half of the funds shall be allocated on the basis of the relative excess number of unemployed individuals residing in each county as compared to the total excess number of unemployed individuals in all counties in the State.
'Excess number of unemployed' is defined as the number of unemployed individuals in excess of four and one-half percent (4.5%) of the civilian labor force in each county or the number of unemployed individuals in excess of four and one-half percent (4.5%) of the civilian labor force in each census tract within the county. The following methodology is used to determine the excess number of unemployed:
 - a. For counties classified as having excess unemployment, the excess number of unemployed is determined by subtracting four and one-half percent (4.5%) of the civilian labor force from the number of unemployed individuals within the county. The difference equals the number of excess unemployed.
 - b. In situations where the entire county is not classified as having excess unemployment, the excess number of unemployed is determined by census tract unemployment within the county. Census tract data is used to determine which subcounty areas qualify as areas of excess unemployment. In those subcounty areas classified as having excess unemployment (census tracts with four and one-half percent (4.5%) or higher unemployment rates), four and one-half percent (4.5%) of the census tract labor force is subtracted from the number of unemployed individuals within the area of excess unemployment. The subcounty figures of excess number of unemployed within the county are then added together to determine the total excess number of unemployed within the county.
- (2) One half of the funds shall be allocated on the basis of the relative number of economically disadvantaged individuals within each county compared to the total number of economically disadvantaged individuals in the State. To determine the number of economically disadvantaged individuals within each county, data from the State Data Center in the Office of State Budget and Management, or from the federal decennial census, whichever is most recent, shall be used.

(d) Reports, Coordination: The Department of Economic and Community Development shall report quarterly to the Governor and to the Speaker of the House of Representatives and the President Pro Tempore of the Senate on the North Carolina Employment and Training Grant Program. The Department shall also provide a copy of these quarterly reports to the State Job Training Coordinating Council. The Council shall advise the Department on the merger of the funds provided to implement this section with other employment and training funds to develop comprehensive work-force preparedness initiatives for the State.

(e) Funds appropriated to the Department of Economic and Community Development for the Employment and Training Grant Program that are not expended at the end of the fiscal year shall not revert but shall remain available to the Department for the purposes established in this section."

Requested by: Representatives H. Hunter, Ethridge, DeVane, Senator Martin of Pitt

-----FIRST FLIGHT SYSTEM

Sec. 154.1. (a) G.S. 143B-471.3A reads as rewritten:
 "§ 143B-471.3A. Powers.

In order to enable it to carry out the purposes of this Part, the Authority may:

- (1) Exercise the powers granted corporations under G.S. 55-17;
- (2) Employ an executive director, whose salary shall be set by the General Assembly in the Current Operations Appropriations Act. The Authority may employ such other professional staff and clerical and secretarial staff as it deems necessary within the funds available to it. The salaries of such other personnel shall be set under the State Personnel Act;
- (3) Establish an office for the transaction of its business at Raleigh;
- (4) Apply for and accept grants of money from the State of North Carolina, or any political subdivision thereof, from the United States, or from any person, corporation, foundation, trust, or business or from any foreign government for any of the purposes authorized by this Part;
- (5) Establish and administer the incubator facilities program;
- (6) Administer the North Carolina Innovation Research Fund; and
- (7) Adopt reasonable rules to effectuate the purposes of this Part. Part; and
- (8) Establish and administer the First Flight System, a network of business incubators across the State to transfer technologies into commercial applications by private industry."

(b) The North Carolina Biotechnology Center shall allocate, from funds appropriated to it in this Title, \$75,000 for the 1991-92 fiscal year and \$75,000 for the 1992-93 fiscal year to the North Carolina Technological Development Authority to implement and administer the First Flight System.

(c) MCNC shall allocate, from funds appropriated to it in this Title, \$75,000 for the 1991-92 fiscal year and \$75,000 for the 1992-93 fiscal year to the North Carolina Technological Development Authority to implement and administer the First Flight System.

(d) The North Carolina Technological Development Authority shall enter into a memorandum of understanding with the North Carolina Biotechnology Center and with MCNC that establishes the North Carolina Biotechnology Center and MCNC as sponsors of the First Flight System.

(e) Effective September 1, 1991, the statutory unexpended balances of appropriations, allocations, or other funds and all assets of the Technological Development Authority created in G.S. 143B-471 shall be transferred to the North Carolina Technological Development Authority, Inc., a private, nonprofit corporation. The North Carolina Technological Development Authority, Inc., shall use the funds and other assets transferred to it pursuant to this act for (i) an incubator facilities program, (ii) an innovation research fund, and (iii) the First Flight System, a network of incubators across the State to transfer technologies into commercial applications. The incubator facilities program shall be administered in accordance with the provisions of former G.S. 143B-471.4, repealed by this section. The innovation research fund shall be administered in accordance with the provisions of former G.S. 143B-471.5, repealed by this section.

(f) Effective September 1, 1991, Part 12 of Article 10 of Chapter 143B of the General Statutes is repealed.

(g) Effective September 1, 1991:

- (1) The below described land and improvements, formerly known as the "Science and Technology Research Center", together with property installed in the building and other movable equipment and supplies shall be transferred by the State of North Carolina to The North Carolina Technological Development Authority, Inc.: BEGINNING at an iron pin located at North Carolina Grid Coordinate, north 783,348.879 east 2,041,863.310; runs thence South 9 degrees 17 minutes West 261.50 feet to an iron pin; runs thence North 67 degrees 54 minutes West 698 feet to an iron pipe; runs thence North 37 degrees 50 minutes East 48.50 feet to an iron pin; runs thence North 45 degrees 50 minutes East 340.00 feet to an iron pin; runs thence North 13 degrees 18 minutes East 345.72 feet to an iron pin in the southern line of Cornwallis Road; runs thence

along the southern line of Cornwallis Road along a slight curve having a diameter of 4 degrees 00 minutes, a tangent of 411.55 feet to a radius of 1,432.69 feet a distance of 363.82 feet to an iron pin located in the southern line of Cornwallis Road; thence continuing along the southern line of Cornwallis Road South 65 degrees 52 minutes East 63.47 feet to a concrete monument; thence along the right of way of Cornwallis Road and Davis Drive South 26 degrees 42 minutes East 72.60 feet to a concrete monument; thence along the western line of the right of way of Davis Drive along a slight curve having a diameter of 1 degree 00 minutes a tangent of 351.27 feet and a radius of 5,730.34 feet a distance of 342.05 feet to an iron pin at the point and place of BEGINNING and containing 8 acres according to a deed recorded in the Office of the Register of Deeds of Durham County, North Carolina, in Book 30, pages 378-380.

- (2) The transfer made by this section shall be evidenced by a deed executed under G. S. 146-75 and registered in accordance with G. S. 146-77. The deed shall provide that the property transferred by this section shall automatically revert to the State of North Carolina if the property is used for any purposes other than the purposes set forth in subdivision (3).
- (3) The transfer made by this section is made on the condition that the North Carolina Technological Development Authority, Inc., shall use the property described in subdivision (1) solely as a business incubator serving technology research-based entrepreneurial companies in the Research Triangle Park. If the North Carolina Technological Development Authority, Inc., ceases to use the property for the purposes described in this section, then the property shall automatically revert to the State of North Carolina.

(h) Subsections (e), (f), and (g) of this section become effective September 1, 1991. The remainder of this section becomes effective July 1, 1991.

PART 25.-----DEPARTMENT OF LABOR

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt

-----FUNDING FOR OSHA ENFORCEMENT POSITIONS

Sec. 155. The Department of Labor may use funds appropriated to the Department of Labor for the Occupational Safety and Health Act of North Carolina (OSHANC) program to fully fund enforcement personnel in the Compliance Bureau of the OSHANC program, provided the Department of Labor certifies to the Office of State Budget and Management that no federal match is available for the 1991-92 fiscal year and for the 1992-93 fiscal year.

PART 26.-----DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt

-----REDUCTION IN ADMINISTRATIVE SERVICES

Sec. 156. The Department of Environment, Health, and Natural Resources shall consider abolishing positions in each of the following administrative services areas:

- (1) Computer Systems,
- (2) Fiscal Management,
- (3) Office of the General Counsel,
- (4) General Services,
- (5) Personnel, and
- (6) Planning & Assessment

in order to reduce the budget of administrative services by the sum of \$200,000 for the 1991-92 fiscal year and by the sum of \$400,000 for the 1992-93 fiscal year.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt

-----SEPTAGE MANAGEMENT FEES

Sec. 157. Receipts collected by the Department of Environment, Health, and Natural Resources pursuant to G.S. 130A-291.1 are appropriated to the Department to establish and operate the North Carolina Septage Management Program.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt

-----AUTHORIZE USE OF WATER QUALITY FEES

Sec. 158. There is appropriated from the nonreverting account established in G.S. 143-215.3A to the Department of Environment, Health, and Natural Resources a sum not to exceed \$2,124,142 for the 1991-92 fiscal year and a sum not to exceed \$2,148,017 for the 1992-93 fiscal year for the salaries and the necessary support for up to 49 positions for the 1991-92 fiscal year and the 1992-93 fiscal year in the water quality program. Water quality fees shall be the only source of funds for these positions and all necessary support. These positions shall be used to reduce the backlog of permit applications and to improve the rate of compliance of facilities with environmental standards for toxic substances.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt

-----AUTHORIZE USE OF AIR QUALITY FEES

Sec. 159. There is appropriated from the nonreverting account established in G.S. 143-215.3A to the Department of Environment, Health, and Natural Resources a sum not to exceed \$1,193,340 for the 1991-92 fiscal year and a sum not to exceed \$1,487,506 for the 1992-93 fiscal year for the salaries and the necessary support:

(1) For up to 24 positions for the 1991-92 fiscal year; and

(2) For up to 29 positions for the 1992-93 fiscal year

in the air quality program. Air quality fees shall be the only source of funds for these positions and all necessary support. These positions shall be used to conduct air quality permitting, compliance, and monitoring activities.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt

-----SUPERFUND PROGRAM

Sec. 160. (a) The Department of Environment, Health, and Natural Resources may use available funds, with the approval of the Office of State Budget and Management, in order to provide the ten percent (10%) cost share required for Superfund cleanups on National Priority List sites. These funds may be in addition to those appropriated for this purpose.

(b) The Department of Environment, Health, and Natural Resources and the Office of State Budget and Management shall report to the Joint Legislative Commission on Governmental Operations the amount and the source of the funds used pursuant to subsection (a) of this section within 30 days of the expenditure of these funds.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt

-----FOREST DEVELOPMENT ACT FUNDS

Sec. 161. Notwithstanding the provisions of G.S. 113A-192, the assessment from the primary forest product processors shall be collected for the 1991-92 fiscal year and the 1992-93 fiscal year. Notwithstanding the provisions of G.S. 113A-180 and G.S. 113A-183(c), all funds accrued to the Forest Development Fund, from whatever source, may be expended pursuant to the provisions of G.S. 113A-193(c) and Article 11 of Chapter 113A of the General Statutes for the 1991-92 fiscal year and the 1992-93 fiscal year.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt

-----STUDY TERMINATING LEASE WITH FEDERAL GOVERNMENT

Sec. 162. The Parks and Recreation Division, Department of Environment, Health, and Natural Resources, shall study the desirability and the feasibility of terminating any long-term lease that the State entered into, whereby the State leases federal reservoirs. The Department shall report its findings and recommendations to the 1991 General Assembly (1992 Regular Session) no later than April 1, 1992.

Requested by: Representatives H. Hunter, Ethridge, DeVane, Senator Martin of Pitt

-----REVISION OF PARKS FEE SCHEDULE

Sec. 163. The Parks and Recreation Division, Department of Environment, Health, and Natural Resources, may adopt a temporary rule to increase the fee authorized by G.S. 113-35(b), to become effective July 24, 1991.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt

-----TECHNICAL REVIEW COMMITTEE APPOINTMENTS

Sec. 164. The Soil and Water Conservation Commission shall include the Executive Director of the Wildlife Resources Commission, or his designee, and the Director of the Marine Fisheries Division of the Department of Environment, Health, and Natural Resources, or his designee, among its appointments to the Technical Review Committee, which reviews the technical specifications for the best management practices specified for the Agricultural Cost Share Program for Nonpoint Source Pollution Control.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt

-----AGRICULTURE COST SHARE PROGRAM

Sec. 165. Of the funds appropriated in this Title to the Department of Environment, Health, and Natural Resources for the Agriculture Cost Share Program for Nonpoint Source Pollution Control, a sum not to exceed \$40,000 for the 1991-92 fiscal year and a sum not to exceed \$40,000 for the 1992-93 fiscal year shall be used to fund tide gates in Hyde County in accordance with the match requirements specified in G.S. 143-215.74(b)(6).

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt

-----AUDITS OF SOIL AND WATER DISTRICT BOARDS

Sec. 166. G.S. 139-7 reads as rewritten:

"§ 139-7. District board of supervisors — appointive members; organization of board; certain powers and duties.

The governing body of a soil and water conservation district shall consist of the three elective supervisors from the county or counties in the district, together with the appointive members appointed by the Soil and Water Conservation Commission pursuant to this section, and shall be known as the district board of supervisors. When a district is composed of less than four counties, the board of supervisors of each county shall on or before October 31, 1978, and on or before October 31 as the terms of the appointive supervisors expire, recommend in writing two persons from the district to the Commission to be appointed to serve with the elective supervisors. If the names are not submitted to the Commission as required, the office shall be deemed vacant on the date the term is set to expire and the Commission shall appoint two persons of the district to the district board of supervisors to serve with the elected supervisors. The Commission shall make its appointments prior to or at the November meeting of the Commission. Appointive supervisors shall take office on the first Monday in December following their appointment. Such appointive supervisors shall serve for a term of four years, and thereafter, as their terms expire, their successors shall serve for a term of four years. The terms of office of all appointive supervisors who have heretofore been lawfully appointed for terms the final year of which presently extends beyond the first Monday in December are hereby terminated on the first Monday in December of the final year of appointment. Vacancies for any reason in the appointive supervisors shall be filled for the unexpired term by the appointment of a person by the Commission from the district in which the vacancy occurs. Vacancies for any reason in the elected supervisors shall be filled for the unexpired term by appointment by the Commission of a person from the county in the district in which the vacancy occurs.

In those districts composed of four or more counties, the Commission may, but is not ~~required, to required to~~, appoint two persons from the district without recommendation from the board of supervisors, to serve as district supervisors along with the

elected members of the board of supervisors. Such appointments shall be made at the same time other appointments are made under this section, and the persons appointed shall serve for a term of four years.

The supervisors shall designate a chairman and may, from time to time, change such designation. A simple majority of the board shall constitute a quorum for the purpose of transacting the business of the board, and approval by a majority of those present shall be adequate for a determination of any matter before the board, provided at least a quorum is present. Supervisors of soil and water conservation districts shall be compensated for their services at the per diem rate and allowed travel, subsistence and other expenses, as provided for State boards, commissions and committees generally, under the provisions of G.S. 138-5; provided, that when per diem compensation and travel, subsistence, or other expense is claimed by any supervisor for services performed outside the district for which such supervisor ordinarily may be appointed or elected to serve, the same may not be paid unless prior written approval is obtained from the Department of Environment, Health, and Natural Resources.

The supervisors may employ a secretary, technical experts, whose qualifications shall be approved by the Department, and such other employees as they may require, and shall determine their qualifications, duties and compensation. The supervisors may call upon the Attorney General of the State for such legal services as they may require. The supervisors may delegate to their chairman, to one or more supervisors, or to one or more agents, or employees such powers and duties as they may deem proper. The supervisors shall furnish to the Soil and Water Conservation Commission, upon request, copies of such ordinances, rules, regulations, orders, contracts, forms, and other documents as they shall adopt or employ, and such other information concerning their activities as it may require in the performance of its duties under this Chapter.

The supervisors shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property; shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions, regulations, and orders issued or adopted; and shall provide for an annual audit of the accounts of receipts and disbursements. In any given year, if the supervisors provide for an internal audit, and the supervisor serving as chairman certifies, under oath, that this internal audit is a true and accurate reflection of the accounts of receipts and disbursements, then the supervisors shall not be required, notwithstanding the provisions of G.S. 159-34, to provide for an audit of the accounts of receipts and disbursements by a certified public accountant or by an accountant certified by the Local Government Commission. Any supervisor may be removed by the Soil and Water Conservation Commission upon notice and hearing, for neglect of duty, incompetence or malfeasance in office, but for no other reason.

The supervisors may invite the legislative body of any municipality or county located near the territory comprised within the district to designate a representative to advise and consult with the supervisors of the district on all questions of program and policy which may affect the property, water supply, or other interests of such municipality or county.

All district supervisors whose terms of office expire prior to the first Monday in January, 1948, shall hold over and remain in office until supervisors are elected or appointed and qualify as provided in this Chapter, as amended. The terms of office of all district supervisors, who have heretofore been elected or appointed for terms extending beyond the first Monday in January, 1948, are hereby terminated on the first Monday in January, 1948."

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt
-----INTEREST ON WILDLIFE RESOURCES FUND/PRESERVE FEDERAL FUNDING

Sec. 167. (a) G.S. 143-250 reads as rewritten:
"§ 143-250. Wildlife Resources Fund.

All moneys in the game and fish fund or any similar State fund when this Article becomes effective shall be credited forthwith to a special fund in the office of the State Treasurer, and the State Treasurer shall deposit all such moneys in said special fund, which shall be known as the Wildlife Resources Fund.

All unexpended appropriations made to the Department of Conservation and Development, the Board of Conservation and Development, the Division of Game and Inland Fisheries or to any other State agency for any purpose pertaining to wildlife and wildlife resources shall also be transferred to the Wildlife Resources Fund.

Except as otherwise specifically provided by law, all moneys derived from hunting, fishing, trapping, and related license fees, exclusive of commercial fishing license fees, including the income received and accruing from the investment of license revenues, and all funds thereafter received from whatever sources shall be deposited to the credit of the Wildlife Resources Fund and made available to the Commission until expended subject to the provisions of this Article. License revenues include the proceeds from the sale of hunting, fishing, trapping, and related licenses, from the sale, lease, rental, or other granting of rights to real or personal property acquired or produced with license revenues, and from federal aid project reimbursements to the extent that license revenues originally funded the project for which the reimbursement is being made. For purposes of this section, real property includes lands, buildings, minerals, energy resources, timber, grazing rights, and animal products. Personal property includes equipment, vehicles, machines, tools, and annual crops. The Wildlife Resources Fund herein created shall be subject to the provisions of the Executive Budget Act, Chapter 143, Article 1 of the General Statutes of North Carolina as amended, and the provisions of the General Statutes of North Carolina as amended, and the provisions of the Personnel Act, Chapter 143, Article 2 of the General Statutes of North Carolina as amended.

All moneys credited to the Wildlife Resources Fund shall be made available to carry out the intent and purposes of this Article in accordance with plans approved by the North Carolina Wildlife Resources Commission, and all such funds are hereby appropriated, reserved, set aside and made available until expended, for the enforcement and administration of this Article, Chapter 75A, Article 1, and Chapter 113, Subchapter IV of the General Statutes of North Carolina. The Wildlife Resources Commission shall report to the Joint Legislative Commission on Governmental Operations before expending from the Wildlife Resources Fund more than the amount authorized in the budget enacted by the General Assembly for the fiscal period.

In the event any uncertainty should arise as to the funds to be turned over to the North Carolina Wildlife Resources Commission the Governor shall have full power and authority to determine the matter and his recommendation shall be final and binding to all parties concerned."

(b) This section becomes effective January 1, 1992.

Requested by: Representatives H. Hunter, Ethridge, DeVane, Michaux, Senator Martin of Pitt

-----CONTINUE PUBLIC DENTAL HEALTH PROGRAM EMPHASIS

Sec. 169. From the funds appropriated to the Department of Environment, Health, and Natural Resources in this act for Dental Health Services, the Department shall administer the public dental health program, the primary emphasis of which shall continue to be the delivery of preventive, educational, and dental care services to preschool children and school-age children.

Requested by: Representatives H. Hunter, Ethridge, DeVane, Diamont, Senator Martin of Pitt

-----MATERNAL AND CHILD HEALTH CARE NON-SUPPLANTING REQUIREMENT

Sec. 170. Chapter 130A of the General Statutes is amended by adding a new section to read:

"§ 130A-4.1. State Funds for Maternal and Child Health Care/non-supplanting.

(a) The Department of Environment, Health, and Natural Resources shall ensure that local health departments do not reduce county appropriations for maternal and child health services provided by the local health departments because they have received State appropriations for this purpose.

(b) All income earned by local health departments for maternal and child health programs supported in whole or in part from State or federal funds, received from the Department of Environment, Health, and Natural Resources, shall be budgeted and expended by local health departments to further the objectives of the program that generated the income."

Requested by: Representatives H. Hunter, Ethridge, DeVane, Diamont, Senator Martin of Pitt

-----HEALTH PROMOTION NON-SUPPLANTING REQUIREMENT

Sec. 171. Chapter 130A of the General Statutes is amended by adding a new section to read:

"§ 130A-4.2. State Funds for Health Promotion/non-supplanting.

The Department of Environment, Health, and Natural Resources shall ensure that local health departments do not reduce county appropriations for health promotion services provided by the local health departments because they have received State appropriations for this purpose."

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt

-----NON-MEDICAID REIMBURSEMENT

Sec. 172. Providers of medical services under the various State programs other than Medicaid offering medical care to citizens of the State shall be reimbursed at rates no more than those under the North Carolina Medical Assistance Program.

The Department of Environment, Health, and Natural Resources may reimburse hospitals at the full prospective per diem rates without regard to the Medical Assistance Program's annual limits on hospital days. When the Medical Assistance Program's per diem rates for inpatient services and its interim rates for outpatient services are used to reimburse providers in non-Medicaid medical service programs, retroactive adjustments to claims already paid shall not be required.

Notwithstanding the provisions of paragraph one of this section, the Department of Environment, Health, and Natural Resources may negotiate with providers of medical services under the various Environment, Health, and Natural Resources programs, other than Medicaid, for rates as close as possible to Medicaid rates for the following purposes: contracts or agreements for medical services and purchases of medical equipment and other medical supplies. These negotiated rates are allowable only to meet the medical needs of its non-Medicaid eligible patients, residents and clients who require such services which cannot be provided when limited to the Medicaid rate.

Maximum net family annual income eligibility standards for services in these programs with the exception of Migrant Health, School Health, AIDS Drug Reimbursement Program, diagnostic assessment for infants with sickle cell syndrome, and Home Health shall be as follows:

Family Size	Kidney	All Other
1	\$ 6,400	\$ 4,200
2	8,000	5,300
3	9,600	6,400
4	11,000	7,500
5	12,000	7,900
6	12,800	8,300
7	13,600	8,800
8	14,400	9,300

The eligibility level each fiscal year for outpatient services for all clients and for inpatient services for children under the age of 5, in the Children's Special Health Services Program shall be one hundred percent (100%) of the federal poverty guidelines as revised annually by the United States Department of Health and Human Services, in effect on July 1 of each fiscal year.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt

-----ASBESTOS HAZARD MANAGEMENT FUNDS

Sec. 173. The fees established and collected pursuant to Article 19 of Chapter 130A of the General Statutes are appropriated to the Department of Environment, Health, and Natural Resources to support the Asbestos Hazard Management Program.

Requested by: Representatives Ethridge, H. Hunter, DeVane, Senator Martin of Pitt

-----ADOLESCENT PREGNANCY PREVENTION PROJECTS

Sec. 174. (a) Of the funds appropriated in this Title to the Division of Maternal and Child Health, Department of Environment, Health, and Natural Resources, \$982,768 for the 1991-92 fiscal year and \$982,768 for the 1992-93 fiscal year shall be used to fund adolescent pregnancy prevention projects.

(b) Beginning in fiscal year 1991-92, the Division shall evaluate all of the adolescent pregnancy projects funded as a result of this program at least yearly and shall report its findings to the Commission for Health Services, the Joint Legislative Commission on Governmental Operations, and the Chairmen of the House Appropriations Committee on Environment, Health, and Natural Resources, and the Senate Appropriations Committee on Natural and Economic Resources by April 1 of each year. The evaluation shall be conducted by a firm or individual external to the Department. Funds appropriated to the Department in Section 3 of this act for employing a Public Health Program Consultant in the Division of Maternal and Child Health shall be used by the Department to retain the services of the evaluator required by this subsection. Any evaluation of these projects shall include a study of the effectiveness of the project in reducing the pregnancy rate within the target population.

(c) The Commission for Health Services shall be responsible for monitoring the Division's administration of the Adolescent Pregnancy Prevention Program. The Division shall implement the following changes in the management and funding of the Adolescent Pregnancy Prevention Program for projects funded from General Fund appropriations and federal block grants:

- (1) Applications. Any local agency or organization or combination of agencies and organizations may apply to the Division of Maternal and Child Health for an allocation of money to operate a project aimed at preventing adolescent pregnancy. The application shall contain an analysis of the adolescent pregnancy and related problems in the locality the project would serve, and a description of how the project would attempt, over a period of at least five years, to prevent the problems. The application shall state how much money is needed to operate the project and how the money shall be spent. The Division shall conduct annually a proposal-writing session that shall be attended by a representative of any project that wishes to apply for funding; that session shall define the criteria for accountability and evaluation that the Division requires of projects. That session shall also provide information about additional funding sources to which projects might turn to satisfy the matching requirements of subdivision (5) of this subsection.
- (2) Proposal Requirements. The Division shall apply the following minimum standards to projects applying for first-year funding:
 - a. Each project shall have a plan of action that extends for at least five years for prevention of adolescent pregnancy.

- b. Each project shall have realistic, specific, and measurable goals and objectives for the prevention of adolescent pregnancy.
- c. Each project, before submitting its proposal, shall send a representative to the proposal-writing session held by the Division.
- (3) Operating standards. The Division shall apply the following minimum operating standards:
 - a. Each project shall have a Board of Advisors composed of members from outside the sponsoring agency of the project. The Board of Advisors shall include representatives from at least four of the following: media, government, charitable organizations, private business, medical institutions. The Boards of Advisors shall meet at least quarterly and advise project staff on project policies and operations.
 - b. Each project shall comply with reporting, contracting, and evaluation requirements of the Division.
 - c. Each project shall define and maintain cooperative ties with other community institutions.
 - d. Each project shall demonstrate its ability to attract financial support from sources other than the State, including sources in the local community.
- (4) Criteria for Selection. For first-year funding, the Division shall choose from among the applicants that meet the minimum standards in subdivision (2) of this subsection the best selection of projects according to the following criteria:
 - a. Adequacy of proposed staff to meet project objectives;
 - b. Appropriateness of project strategies to reduce adolescent pregnancy;
 - c. Level of community support, including endorsement from the appropriate local government entity and documentation from the appropriate local government entity and from community organizations that opportunity has been given for citizen input into the proposed program, and that there is community support for the proposal. Documentation may include letters or statements of support from citizens or community organizations, or statements that community support was expressed at public hearings. A public hearing is not required by this paragraph;
 - d. Degree of need of the locality, including that the county has a significant adolescent pregnancy problem as evidenced by its attributable risk score developed by the Division of Statistics and Information Services; and
 - e. Other appropriate criteria.

The Division shall make its recommendations for funding to the Commission for Health Services. The Commission shall make the final determination of which projects are to be funded. The Commission shall consider the recommendations of the Division but shall not be bound by them. The Commission shall notify the projects that are to be funded by June 1 of each year.
- (5) Schedule of Funding. If the Commission, upon consultation with the Division, finds that a project it has chosen for first-year funding continues to meet the operating standards of subdivisions (2) and (3) of this subsection, funding for that project shall continue, to the extent of available money, for an additional four years. The level of funding provided by the Division to approved projects shall be set according to the following schedule:
 - a. First year, eighty percent (80%) of the project's annual budget not to exceed the maximum award established by the Commission for Health Services,

- b. Second year, ninety percent (90%) of the State appropriations or federal block grant funds awarded in the first year,
 - c. Third year, seventy-five percent (75%) of the State appropriations or federal block grant funds awarded in the first year,
 - d. Fourth year, sixty-five percent (65%) of the State appropriations or federal block grant funds awarded in the first year, and
 - e. Fifth year, fifty percent (50%) of the State appropriations or federal block grant funds awarded in the first year.
- The portion of a project's budget that must come from sources other than State or federal block grant funds may be provided as in-kind contributions as well as cash.
- (6) Five-Year Limit on Funding. No project shall receive State funding if it has previously received State funding for five full years. Any project that has received State funding before July 1, 1990 will be eligible for consideration for an additional five years' State support, according to the schedule. The Commission may fund any such project that meets the minimum standards if it determines, after considering the experience and impact of the project and measuring its application against those of other applicants, that it should be funded.
 - (7) Maximum Level of Funding. The Commission for Health Services shall by rule determine the maximum annual amount that may be made to any one project.
 - (8) As adolescent pregnancy prevention project grant funds decrease, a project shall maintain its original budget level, less the amount expended for start-up costs. The Department shall develop guidelines for determining start-up costs, which guidelines shall be uniform for all projects. Local match percentage may come from any in-kind source or newly generated funds, public or private, available to the project.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt
 -----INFECTION CONTROL PROGRAM/FUNDS TRANSFER

Sec. 175. Of the funds appropriated to the Department of Environment, Health, and Natural Resources, Division of Epidemiology, for the 1991-93 biennium, \$85,274 shall be transferred in each fiscal year to the University of North Carolina at Chapel Hill for the School of Medicine of the University of North Carolina at Chapel Hill. Funds transferred pursuant to this section shall be used to support the Health Care Facilities Infection Control Program in investigating and controlling nosocomial infections in hospitals, long-term care facilities, and other medical facilities in cooperation with the Division of Epidemiology. Funds transferred shall also be used to provide training and consultation to hospitals, long-term care facilities, and other medical facilities to prevent and control nosocomial infections.

Requested by: Representatives H. Hunter, Ethridge, DeVane, Senator Martin of Pitt
 -----PHARMACEUTICAL FUNDS/SEXUALLY TRANSMITTED DISEASE

CONTROL PROGRAM

Sec. 175.1. Funds appropriated in this Title to the Department of Environment, Health, and Natural Resources, Division of Epidemiology, for the Tuberculosis Control Hospitalization Program, may be used for pharmaceuticals for the Sexually Transmitted Disease Control Program.

Requested by: Representatives H. Hunter, Ethridge, DeVane, James, Senator Martin of Pitt

-----SOIL AND WATER CONSERVATION DISTRICT SUPERVISORS' EXPENSES

Sec. 176. Of the funds appropriated in this Title to the Division of Soil and Water Conservation, Department of Environment, Health, and Natural Resources,

\$214,594 for the 1991-92 fiscal year and \$214,594 for the 1992-93 fiscal year shall be used for the per diem and travel expenses of the Soil and Water Conservation District Supervisors.

Requested by: Representatives H. Hunter, Ethridge, DeVane, Gottovi, Senator Martin of Pitt

-----CHILDREN'S SPECIAL HEALTH SERVICES/REFUNDS

Sec. 178. (a) The Office of State Budget and Management shall carry forward all funds allotted in the 1990-91 fiscal year and the 1991-92 fiscal year for the Children's Special Health Services Program to the 1991-92 fiscal year and the 1992-93 fiscal year, respectively, in the Division of Maternal and Child Health, Department of Environment, Health, and Natural Resources.

(b) The Office of State Budget and Management shall allow the Department of Environment, Health, and Natural Resources to budget and expend refunds of the prior year's expenditures for the purchase of care by the Children's Special Health Services Program for the same purpose in the fiscal year in which the refund is received.

(c) Subsection (a) of this section becomes effective June 30, 1991.

Requested by: Representatives Ethridge, H. Hunter, DeVane, Senator Martin of Pitt

-----PUBLIC HEALTH PROGRAM FEES/EXEMPTION FOR ELDERLY

Sec. 179. G.S. 130A-248(d) reads as rewritten:

"(d) (Expires June 30, 1992) The Department shall charge each facility subject to this section, except nutrition programs for the elderly administered by the Division of Aging of the Department of Human Resources and public school cafeterias, an annual fee of twenty-five dollars (\$25.00). The Department shall charge an additional twenty-five dollar (\$25.00) late payment fee to any facility that fails to pay the required fee within 45 days after billing by the Department. The Department may, in accordance with G.S. 130A-23, suspend or revoke the permit of a facility that fails to pay the required fee within 60 days after billing by the Department. The Commission shall adopt rules to implement this subsection. Fees collected under this subsection shall be credited to the General Fund and may be used to support State and local public health programs and activities. The Department shall make an annual report to the Joint Legislative Commission on Governmental Operations and the Director of the Fiscal Research Division that shall include the fees collected and disbursed under this subsection and any other information requested by the General Assembly or the Commission."

Requested by: Representatives H. Hunter, Ethridge, DeVane, Redwine, Senator Martin of Pitt

-----TRANSFER LAND RECORDS MANAGEMENT

Sec. 181. (a) The statutory authority, powers, duties, and functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and purchasing, of the Department of Environment, Health, and Natural Resources to conduct the land records management program, as provided by G.S. 143-345.6, is transferred to the Department of the Secretary of State.

(b) G.S. 143-345.6 is recodified as G.S. 147-54.3.

(c) G.S. 143-345.6, as recodified as G.S. 147-54.3 by subsection (b) of this section, reads as rewritten:

"§ 147-54.3. Land records management program.

(a) The ~~Department of Environment, Health, and Natural Resources~~ Secretary of State shall administer a land records management program for the purposes (i) of advising registers of deeds, local tax officials, and local planning officials about sound management practices, and (ii) of establishing greater uniformity in local land records systems. The management program shall consist of the activities provided for in subsections (b) through (e) of this section, and other related activities essential to the effective conduct of the management program.

(b) ~~The Department of Environment, Health, and Natural Resources, Secretary of State~~, in cooperation with the Secretary of Cultural Resources and in accordance with G.S. 121-5(c) and G.S. 132-8.1, shall establish minimum standards and provide advice and technical assistance to local governments in implementing and maintaining minimum standards with regard to the following aspects of land records management:

- (1) Uniform indexing of land records;
- (2) Uniform recording and indexing procedures for maps, plats and condominiums; and
- (3) Security and reproduction of land records.

(c) ~~The Department of Environment, Health, and Natural Resources Secretary of State~~ shall conduct a program for the preparation of county base maps pursuant to standards prepared by ~~that Department, the Secretary~~.

(c1) ~~The Department of Environment, Health, and Natural Resources, Secretary of State~~, shall, in cooperation with the Secretary of Revenue, conduct a program for the preparation of county cadastral maps pursuant to standards prepared by the ~~Department of Environment, Health, and Natural Resources, Secretary of State~~.

(d) Upon the joint request of any board of county commissioners and the register of deeds and subject to available resources of personnel and funds, the Secretary shall make a management study of the office of register of deeds, using assistance from the Office of State Personnel. At the conclusion of the study, the Secretary shall make nonbinding recommendations to the board, the register of deeds, and to the General Assembly.

(d1) ~~The Department of Environment, Health, and Natural Resources Secretary of State~~ shall make comparative salary studies periodically of all registers of deeds offices and at the conclusion of each study the Secretary of ~~Environment, Health, and Natural Resources State~~ shall present his written findings and shall make recommendations to the board of county commissioners and register of deeds of each county.

(e) ~~The Department of Environment, Health, and Natural Resources, Secretary of State~~, in cooperation with the Secretary of Cultural Resources and in accordance with G.S. 121-5(c) and G.S. 132-8.1, shall undertake research and provide advice and technical assistance to local governments on the following aspects of land records management:

- (1) Centralized recording systems;
- (2) Filming, filing, and recording techniques and equipment;
- (3) Computerized land records systems; and
- (4) Storage and retrieval of land records.

(f) An advisory committee on land records is created to assist the Secretary in administering the land records management program. The Governor shall appoint 12 members to the committee; one member shall be appointed from each of the organizations listed below from persons nominated by the organization:

- (1) The North Carolina Association of Assessing Officers;
- (2) The North Carolina Section of the American Society of Photogrammetry;
- (3) The North Carolina Chapter of the American Institute of Planners;
- (4) The North Carolina Section of the American Society of Civil Engineers;
- (5) The North Carolina Tax Collectors' Association;
- (6) The North Carolina Association of Registers of Deeds;
- (7) The North Carolina Bar Association;
- (8) The North Carolina Society of Land Surveyors; and
- (9) The North Carolina Association of County Commissioners.

In addition, three members from the public at large shall be appointed. The members of the committee shall be appointed for four-year terms, except that the initial terms for members listed in positions (1) through (4) above and for two of the members-at-large shall be two years; thereafter all appointments shall be for four years. The Governor shall appoint the chairman, and the committee shall meet at the call of the

chairman. The Governor in making the appointments shall try to achieve geographical and population balance on the advisory committee; one third of the appointments shall be persons from the most populous counties in the State containing approximately one third of the State's population, one third from the least populous counties containing approximately one third of the State's population, and one third shall be from the remaining moderately populous counties containing approximately one third of the State's population. Each organization shall nominate one nominee each from the more populous, moderately populous, and less populous counties of the State. The members of the committee shall receive per diem and subsistence and travel allowances as provided in G.S. 138-5."

(d) This section is effective upon ratification.

TITLE II. - EXPANSION

PART 27.-----CURRENT OPERATIONS/GENERAL FUND

Sec. 182. Appropriations from the General Fund of the State for the maintenance of the State departments, institutions, and agencies, and for other purposes as enumerated, are made for the biennium ending June 30, 1993, according to the following schedule:

<u>Current Operations-General Fund</u>	<u>1991-92</u>	<u>1992-93</u>
Judicial Department	\$ 1,197,262	\$ 197,262
Department of Public Education	25,346,040	60,045,414
Department of Justice	229,627	229,627
Department of Administration		
01. Administration	624,395	606,507
02. State Controller	1,037,280	1,037,280
Department of Agriculture	205,000	205,000
Department of Insurance	964,893	925,349
Department of Environment, Health, and		
Natural Resources	5,502,794	9,404,319
Office of Administrative Hearings	619,776	1,907,437
Department of Human Resources		
01. DHR - Secretary	123,892	123,892
02. Social Services	17,528,708	19,723,832
03. Social Services - State Aid to Non-		
State Agencies	645,960	-
04. Medical Assistance	57,993,075	66,973,005
05. School for the Deaf and Hard of Hearing	300,000	577,151
06. Division of Services for the Blind	541,865	944,910
07. Division of Mental Health, Developmental		
Disabilities, and Substance Abuse Services	15,368,898	22,196,460
08. Division of Youth Services	900,000	960,000
Total Department of Human Resources	93,402,398	111,499,250
Department of Correction	-	10,764,288
Department of Economic and Community Development	150,461	393,989
Rural Economic Development Center	3,100,000	-
Department of Cultural Resources	70,145	70,145
Department of Crime Control and Public Safety	165,000	-
University of North Carolina - Board of Governors		
01. University Institutional Program	8,389,400	10,989,400
State Board of Elections	8,200	-
Department of Community Colleges	10,955,044	10,955,044
Reserve - Economic Development	750,000	-

Savings Reserve Account	400,00	-
Debt Service	<u>3,655,500</u>	<u>15,970,900</u>

GRAND TOTAL CURRENT OPERATIONS —
GENERAL FUND \$156,773,215 \$235,201,211

PART 28.-----CURRENT OPERATIONS/HIGHWAY FUND

Sec. 183. Appropriations from the Highway Fund of the State for the maintenance and operation of the Department of Transportation, and for other purposes as enumerated, are made for the biennium ending June 30, 1993, according to the following schedule:

<u>Current Operations-Highway Fund</u>	<u>1991-92</u>	<u>1992-93</u>
Department of Transportation		
01. Administration	\$ 552,800	\$ 55,440
02. Division of Highways		
a. Administration and Operations	153,657	228,974
b. State Maintenance		
(01) Primary	7,769,712	5,160,874
(02) Secondary	13,655,855	9,070,626
(03) Urban	2,119,012	1,407,512
03. Division of Motor Vehicles	822,436	1,184,729
04. Reserve for Asphalt Cleanup	1,000,000	1,000,000
05. Reserve for Air Cargo Airport Authority	2,610,000	3,955,250
06. Transfer to General Fund for reimbursement for sales tax exemption	<u>8,700,000</u>	<u>8,700,000</u>

GRAND TOTAL CURRENT OPERATIONS—
HIGHWAY FUND \$ 37,383,472 \$ 30,763,405

PART 29.-----GENERAL PROVISIONS

Requested by: Representative Gardner

-----STATE AGENCY MAILING LISTS PURGED

Sec. 184. (a) Each State agency, commission, institution, and university that maintains a mailing list comprising more than 200 addressees to whom free printed material is distributed through the postal service shall, no later than January 1, 1992, query each addressee to determine whether that addressee desires to remain on the mailing list. The agency, commission, institution, or university shall within one month thereafter purge the mailing list of each nonresponding addressee and each addressee who indicates a desire that the addressee's name be removed. Each State agency, commission, institution, and university shall report to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division by March 1, 1992, regarding its cost savings.

(b) Mailing lists that are required by law are exempt from this section.

PART 29.1.-----GENERAL GOVERNMENT PROVISIONS

Requested by: Senator Basnight

-----SEAFOOD & AQUACULTURE COMMISSION MEMBERSHIP

Sec. 184.1. G.S. 120-70.61 reads as rewritten:

"§ 120-70.61. Membership; cochairmen; vacancies; quorum.

The Joint Legislative Commission on Seafood and Aquaculture shall consist of ~~eleven~~ 15 members: ~~three~~ four Senators appointed by the President Pro Tempore of the Senate; ~~three~~ four Representatives appointed by the Speaker of the House of Representatives; ~~three~~ four members appointed by the Governor; and ~~two~~ three members appointed by the Commissioner of Agriculture. The members shall serve at the pleasure of their appointing officer. The President Pro Tempore of the Senate

shall designate one Senator to serve as cochairman and the Speaker of the House of Representatives shall designate one Representative to serve as cochairman. Vacancies occurring on the Commission shall be filled in the same manner as initial appointments. A quorum of the Commission shall consist of ~~six~~ eight members."

Requested by: Senator Lee

-----LRC STUDY OF TUITION AND ENROLLMENT AT THE UNC SYSTEM
Sec. 184.2. The Legislative Research Commission may study tuition, fees, and enrollment at The University of North Carolina. If the Commission conducts this study, it shall consider the following:

- (1) Comparison of tuition and fees at each of the constituent institutions for resident and nonresident students, with tuition charged for resident and nonresident students at comparable institutions in other states;
- (2) Feasibility of charging nonresident students at the constituent institutions a tuition rate comparable to that charged to nonresident students enrolled at comparable institutions in the nonresident students' home states;
- (3) Comparison of current tuition rates with the actual cost of educating students;
- (4) Number and percentage of resident and nonresident students enrolled at each constituent institution at the undergraduate and at the graduate levels of study; and
- (5) Any other issues related to charges for tuition and fees that the Commission deems appropriate.

If the Commission conducts the study authorized under this section, it may report its findings together with recommended legislation, to the 1992 Session of the 1991 General Assembly, or to the 1993 General Assembly, or to both.

PART 29.2.-----DEPARTMENT OF ADMINISTRATION

Requested by: Representatives Bowman, N.J. Crawford, Senator Martin of Guilford

-----CONTRACTED UNEMPLOYMENT INSURANCE CLAIMS

Sec. 184.3. Funds appropriated in Title II of this act to the Department of Administration, Office of State Personnel, shall be used for administrative operating costs related to contracted unemployment insurance claims administration services.

PART 29.3.-----OFFICE OF THE GOVERNOR

Requested by: Senators Basnight, Plyler

-----SAVINGS RESERVE ACCOUNT

Sec. 184.4. Notwithstanding any other provision of law, funds in the Savings Reserve Account shall not revert to the State Treasury at the end of each fiscal year but shall remain in the Savings Reserve Account and be carried forward for the next succeeding fiscal year, unless the funds are needed by the Governor to carry out his constitutional duty to balance the State budget.

PART 30.-----SALARIES AND BENEFITS

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler

-----SALARIES/GOVERNMENT EMPLOYEES

Sec. 185. The salaries of those individuals whose annual salaries for the 1989-90 and 1990-91 fiscal years were set in Sections 23, 24, 25, 26, 27, 28, 30(a), 31, 32, and 39 of Chapter 752 of the 1989 Session Laws, are set for the 1991-92 and 1992-93 fiscal years at the level set in those sections for the 1990-91 fiscal year.

Requested by: Senator Basnight, Representative Nesbitt

-----TEACHER, STATE EMPLOYEE, AND OTHER EDUCATION PERSONNEL COMPENSATION

Sec. 186. The General Assembly recognizes the importance of implementing the third year of the teacher salary schedule; therefore, it is the intent of the General

Assembly to complete implementation of a teacher salary schedule in the 1992-93 fiscal year and to place teachers on it according to years of experience if funds are available to do so. It is the intent of the General Assembly also to ensure that State employees, teachers, and other education personnel are treated equitably with respect to salary increases; therefore, to the extent that funds are available to do so, it is the intent of the General Assembly to grant salary increases to State employees, teachers, and other public school and University personnel in the 1992-93 fiscal year that are over and above salary levels funded for the 1991-92 fiscal year.

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler

-----STATE EMPLOYEE COST OF LIVING PRIORITY

Sec. 187. (a) It is the intent of the General Assembly that Cost of Living general pay increases be given priority over performance pay as the Governor and the General Assembly determine the appropriate allocation of State employee salary increases relating to Cost of Living general pay adjustments and performance pay. To effect this intent, no performance pay shall be granted except in accordance with subsections (b), (c), (d), and (e) of this section, which ensure that Cost of Living general pay increases of at least two percent (2%) are allocated before any performance pay is allocated. It is also the intent of the General Assembly to acknowledge the need to adjust the determination of Cost of Living general pay increases so that all State employees, regardless of salary, are treated equitably. To effect that intent, the General Assembly may make any adjustment to the Cost of Living general salary increases allocated to State employees that it considers necessary to render the allocations truly equitable for all employees.

Nothing in this section affects the right of the General Assembly to allocate flat percentage Cost of Living general pay increases.

(b) G.S. 126-7(a) reads as rewritten:

"(a) It is the policy of the State to compensate its employees at a level sufficient to encourage excellence of performance and to maintain the labor market competitiveness necessary to recruit and retain a competent work force. To this end, salary increases to State employees shall may be based, in part, on each individual employee's job performance and, in part, on general increases given to all State employees."

(c) G.S. 126-7 is amended by adding a new subsection to read:

"(a1) General salary increases for State employees shall precede any consideration of a performance pay allocation. Performance pay shall be allocated only when the total allocation for increases equals or exceeds two percent (2%)."

(d) G.S. 126-7(b) reads as rewritten:

"(b) To guide the Governor and the General Assembly in making appropriations to further the compensation policy of the State, the State Personnel Commission shall conduct annual compensation surveys. ~~The Commission shall determine the percent of funds appropriated for salary increases to be reserved for a general increase for all State employees and the percent to be reserved for performance-based increases for eligible employees.~~ The Commission shall present its recommendation ~~on the percentages and the results of the compensation survey to the Appropriations Committees of the House and Senate no later than two weeks after the convening of the legislature in odd years and May 1st of even years. The amount reserved for performance increases shall not be less than twenty-five percent (25%) nor more than seventy-five percent (75%) of the total allocation.~~"

(e) G.S. 126-7(c), until the first subdivision, reads as rewritten:

"(c) ~~Performance increases~~ increases, if awarded, shall be based on performance appraisals of all employees conducted by each department, agency, and institution. The State Personnel Commission, under the authority of G.S. 126-4(8), shall adopt policy and regulations for performance appraisal. The policy and regulations shall include the following:"

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler

-----SALARY RELATED CONTRIBUTIONS/EMPLOYERS

Sec. 188. (a) Required employer salary-related contributions for employees whose salaries are paid from department, office, institution, or agency receipts shall be paid from the same source as the source of the employees' salary. If an employee's salary is paid in part from the General Fund or Highway Fund and in part from department, office, institution, or agency receipts, required employer salary-related contributions may be paid from the General Fund or Highway Fund only to the extent of the proportionate part paid from the General Fund or Highway Fund in support of the salary of the employee, and the remainder of the employer's requirements shall be paid from the source that supplies the remainder of the employee's salary. The requirements of this section as to source of payment are also applicable to payments on behalf of the employee for hospital-medical benefits, longevity pay, unemployment compensation, accumulated leave, workers' compensation, severance pay, separation allowances, and applicable disability income and disability salary continuation benefits.

(b) Effective July 1, 1991, the State's employer contribution rates budgeted for retirement and related benefits as a percentage of covered salaries for the 1991-92 fiscal year are (i) nine and sixty-three hundredths percent (9.63%) - Teachers and State Employees; (ii) fourteen and sixty-three hundredths percent (14.63%) - State Law Enforcement Officers; (iii) eight and sixty-six hundredths percent (8.66%) - University Employees' Optional Retirement Program; (iv) twenty-seven and twenty-two hundredths percent (27.22%) - Consolidated Judicial Retirement System; and (v) thirty-two and thirty hundredths percent (32.30%) - Legislative Retirement System. Each of the foregoing contribution rates includes two percent (2%) for hospital and medical benefits. The rate for State Law Enforcement Officers includes five percent (5%) for the Supplemental Retirement Income Plan. The rates for Teachers and State Employees, State Law Enforcement Officers, and for the University Employees' Optional Retirement Program include forty-two hundredths percent (0.42%) for the Disability Income Plan.

(c) Effective July 1, 1992, the State's employer contribution rates budgeted for retirement and related benefits as a percentage of covered salaries for the 1992-93 fiscal year are (i) ten and ninety-three hundredths percent (10.93%) - Teachers and State Employees; (ii) fifteen and ninety-three hundredths percent (15.93%) - State Law Enforcement Officers; (iii) eight and sixty-six hundredths percent (8.66%) - University Employees' Optional Retirement Program; (iv) twenty-nine and forty-six hundredths percent (29.46%) - Consolidated Judicial Retirement System; and (v) thirty-two and thirty hundredths percent (32.30%) - Legislative Retirement System. Each of the foregoing contribution rates includes two percent (2%) for hospital and medical benefits. The rate for State Law Enforcement Officers includes five percent (5%) for the Supplemental Retirement Income Plan. The rates for Teachers and State Employees, State Law Enforcement Officers, and for the University Employees' Optional Retirement Program include forty-two hundredths percent (0.42%) for the Disability Income Plan.

(d) The maximum annual employer contributions, payable monthly, by the State for each covered employee or retiree for the 1991-92 fiscal year to the Teachers' and State Employees' Comprehensive Major Medical Plan are: (i) Medicare eligible employees and retirees - \$1,238; and (ii) Non-Medicare eligible employees and retirees - \$1,626.

(e) The maximum annual employer contributions, payable monthly, by the State for each covered employee or retiree for the 1992-93 fiscal year to the Teachers' and State Employees' Comprehensive Major Medical Plan are: (i) Medicare eligible employees and retirees - \$1,321; and (ii) Non-Medicare eligible employees and retirees - \$1,736.

PART 31.-----DEPARTMENT OF INSURANCE

Requested by: Representatives Bowman, N.J. Crawford, Diamont, Senator Martin of Guilford

-----INSURANCE STUDY OF HEALTH INSURANCE COVERAGE OF WOMEN NEEDING PRENATAL AND DELIVERY HEALTH SERVICES

Sec. 189. (a) The Department of Insurance, in conjunction with the Department of Environment, Health, and Natural Resources, Division of Maternal and Child Health, and the Department of Human Resources, Division of Medical Assistance, shall conduct a study to determine the extent to which there are women who lack health insurance covering prenatal and delivery services; and to determine the gaps in private and self-funded health insurance coverage. Not later than March 1, 1992, the Department of Insurance shall report to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division on the progress of this study.

(b) Of the funds appropriated to the Department of Insurance in this act, \$40,000 is allocated for the study required by this act. The Department may contract for clerical or professional staff or any other services it requires in the course of this study.

Requested by: Representatives Bowman, N.J. Crawford, Senators Perdue, Martin of Guilford

-----MEDICAL DATABASE/DATA FROM ALL HEALTH CARE PROVIDERS

Sec. 189.1. (a) G.S. 131E-212(b) is amended by adding the following new subdivision to read:

"(9) The Commission shall implement plans for the submission of data from all health care providers beginning with the free-standing ambulatory surgery centers."

(b) The Medical Database Commission shall report its progress on expanding its database by June 1, 1992, to the General Assembly and to the Fiscal Research Division.

(c) Section 208(d) of Chapter 757 of the 1985 Session Laws is repealed.

PART 32.-----OFFICE OF STATE AUDITOR

Requested by: Representatives Bowman, N. J. Crawford, Senator Martin of Guilford

-----INFORMATION FROM PRIVATE ORGANIZATIONS RECEIVING STATE FUNDS AND FROM STATE AGENCIES PROVIDING THESE FUNDS/ INFORMATION FROM STATE AGENCIES JUSTIFYING APPROPRIATIONS REQUESTS

Sec. 190. (a) G.S. 143-6.1 reads as rewritten:

"§ 143-6.1. Information from private organizations receiving State funds; funds; information from State departments and agencies providing State funds."

Every ~~private person~~, corporation, organization, and institution which receives, uses or expends any State funds shall use or expend such funds only for the purposes for which such State funds were appropriated by the General Assembly or collected by the State.

Each ~~private person~~, corporation, organization, and institution which receives, uses or expends State funds in the amount of twenty-five thousand dollars (\$25,000) or more annually, except when the funds are ~~compensation~~ for the purchase of goods or services, shall file annually with the State Auditor and with the Joint Legislative Commission on Governmental Operations a financial ~~statement~~ statements in such form and on such schedule as shall be prescribed by the State Auditor, and shall furnish to the State Auditor for audit all books, records and other information as shall be necessary for the State Auditor to account fully for the receipt, use and expenditure of State funds. Each such ~~private person~~, corporation, organization, and institution shall furnish such additional financial or budgetary information as shall be requested by the State Auditor or by the Joint Committee on Governmental Operations. All financial statements furnished to the State Auditor or to the Joint

Legislative Commission on Governmental Operations pursuant to this section, and any audits or other reports prepared by the State Auditor, shall be public records.

Each State department and agency shall identify to the State Auditor each corporation, organization, and institution to which State funds received by the department or agency have been provided, except for the purchase of goods and services, and submit documents to the State Auditor for approval in a prescribed format describing standards of compliance and suggested audit procedures sufficient to give adequate direction to independent auditors performing audits.

The receipt, use or expenditure of State funds by a ~~private person~~, corporation, organization, and institution shall not, in and of itself, make or constitute such person, corporation, organization, or institution a State agency."

(b) G.S. 143-6 reads as rewritten:

"§ 143-6. Information from departments and agencies asking State aid.

(a) On or before the first day of September ~~biennially~~, in the even-numbered years, each of the departments, bureaus, divisions, officers, boards, commissions, institutions, and other State agencies and undertakings receiving or asking financial aid from the State, or receiving or collecting funds under the authority of any general law of the State, shall furnish the Director all the information, data and estimates which he may request with reference to past, present and future appropriations and expenditures, receipts, revenue, and income.

(b) Any department, bureau, division, officer, board, commission, institution, or other State agency or undertaking desiring to request financial aid from the State for the purpose of constructing or renovating any State building, utility, or other property development (except a railroad, highway, or bridge structure) shall, before making any such request for State financial aid, submit to the Department of Administration a statement of its needs in terms of space and other physical requirements, and shall furnish the Department with such additional information as it may request. The Department of Administration shall then prepare preliminary studies and cost estimates for the use of the requesting department, bureau, division, officer, board, commission, institution, or other State agency or undertaking in presenting its request to the Director of the Budget.

(c) On or before the first day of September in the even-numbered years, each of the departments, bureaus, divisions, officers, boards, commissions, institutions, and other State agencies receiving or asking financial aid or support from the State, under the authority of any general law of the State, shall furnish the Director with the following information:

(1) The amount of State funds disbursed in the immediately preceding two fiscal years and the purpose for which the funds were disbursed and used, the amount being requested as continuation funds for the upcoming fiscal year, and the justification for continued State support; and

(2) Justification for continued State support shall include information on the extent of the public benefit being derived from State support.

(d) The Office of State Budget and Management and the Director of the Budget shall provide to the General Assembly, on or before January 15 of each odd-numbered year, a report that adequately and fairly presents the information required in this section."

(c) This section does not apply to the General Assembly or its membership.

PART 32.1.----DEPARTMENT OF REVENUE

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler
-----GOVERNMENT SALES TAX REFUND

Sec. 190.1. (a) G.S. 105-164.3 is amended by adding a new subdivision to read:

"(16b) 'State agency' means a unit of the executive, legislative, or judicial branch of State government, such as a department, a commission, a board, a council, or The University of North Carolina. The term does not include a local board of education."

(b) G.S. 105-164.14 reads as rewritten:

"§ 105-164.14. Certain refunds authorized.

(a) Interstate Carriers. Any person engaged in transporting persons or property in interstate commerce for compensation who is subject to regulation by, and to the jurisdiction of, the Interstate Commerce Commission or the United States Department of Transportation and who is required by either such federal agency to keep records according to its standard classification of accounting or, in the case of a small certificated air carrier, is required by the U.S. Department of Transportation to make reports of financial and operating statistics, may secure a refund from the Secretary of Revenue with respect to sales or use tax paid by such person on purchases or acquisitions of lubricants, repair parts and accessories in this State for motor vehicles, railroad cars, locomotives, and airplanes operated by such person, upon the conditions described below. The Secretary of Revenue shall prescribe the periods of time, whether monthly, quarterly, semiannually or otherwise, with respect to which refunds may be claimed, and shall prescribe the time within which, following such periods, an application for refund may be made. An applicant for refund shall furnish such information as the Secretary may require, including detailed information as to lubricants, repair parts and accessories wherever purchased, whether within or without the State, acquired during the period with respect to which a refund is sought, and the purchase price thereof, detailed information as to sales and use tax paid in this State thereon, and detailed information as to the number of miles such motor vehicles, railroad cars, locomotives, and airplanes were operated both within this State, and without this State, during such period, together with satisfactory proof thereof. The Secretary shall thereupon compute the tax which would be due with respect to all lubricants, repair parts and accessories acquired during the refund period as though all such purchases were made in this State, but only on such proportion of the total purchase prices thereof as the total number of miles of operation of such applicants' motor vehicles, railroad cars, locomotives, and airplanes within this State bears to the total number of miles of operation of such applicants' motor vehicles, railroad cars, locomotives and airplanes within and without this State, and such amount of sales and use tax as the applicant has paid in this State during said refund period in excess of the amounts so computed shall be refunded to the applicant.

(b) Nonprofit Corporations. The Secretary of Revenue shall make refunds semiannually to hospitals not operated for profit (including hospitals and medical accommodations operated by an authority created under the Hospital Authorities Law, Article 2 of Chapter 131E), educational institutions not operated for profit, churches, orphanages and other charitable or religious institutions and organizations not operated for profit of sales and use taxes paid under this Article, except under G.S. 105-164.4(4a) and G.S. 105-164.4(4c), by such institutions and organizations on direct purchases of tangible personal property for use in carrying on the work of such institutions or organizations. Sales and use tax liability indirectly incurred by such institutions and organizations on building materials, supplies, fixtures and equipment which shall become a part of or annexed to any building or structure being erected, altered or repaired for such institutions and organizations for carrying on their nonprofit activities shall be construed as sales or use tax liability incurred on direct purchases by such institutions and organizations, and such institutions and organizations may obtain refunds of such taxes indirectly paid. The Secretary of Revenue shall also make refunds semiannually to all other hospitals (not specifically excluded herein) of sales and use tax paid by them on medicines and drugs purchased for use in carrying out the work of such hospitals. This subsection does not apply to organizations, corporations, and institutions that are owned and controlled by the United States, the State, or a unit of local government, except hospital facilities created under Article 2 of Chapter 131E of the General Statutes and nonprofit hospitals owned and controlled by a unit of local government that elect to receive semiannual refunds under this subsection instead of annual refunds under subsection (c).

In order to receive the refunds herein provided for, such institutions and organizations shall file a written request for refund covering the first six months of the calendar year on or before the fifteenth day of October next following the close of said period, and shall file a written request for refund covering the second six months of the calendar year on or before the fifteenth day of April next following the close of that period. Such requests for refund shall be substantiated by such proof as the Secretary of Revenue may require, and no refund shall be made on applications not filed within the time allowed by this section and in such manner as the Secretary may require. ~~Notwithstanding the foregoing provisions of this subsection, the constituent institutions of The University of North Carolina may obtain in the manner prescribed by this Article the refund of sales and use tax paid by them on or after January 1, 1992, for tangible personal property acquired by them through the expenditure of contract and grant funds.~~

(c) Certain Governmental Entities. Upon receipt of timely applications for refund, the Secretary of Revenue shall make refunds annually to all governmental entities, as hereinafter defined, of sales and use tax paid under this Article, except under G.S. 105-164.4(4a) and G.S. 105-164.4(4c), by said governmental entities on direct purchases of tangible personal property. Sales and use tax liability indirectly incurred by such governmental entities on building materials, supplies, fixtures and equipment which shall become a part of or annexed to any building or structure being erected, altered or repaired which is owned or leased by such governmental entities shall be construed as sales or use tax liability incurred on direct purchases by such governmental entities, and such entities may obtain refunds of such taxes indirectly paid. The refund provisions contained in this subsection shall not apply to any governmental entities not specifically named herein. In order to receive the refund herein provided for, governmental entities shall file a written request for said refund within six months of the close of the fiscal year of the governmental entities seeking said refund, and such request for refund shall be substantiated by such records, receipts and information as the Secretary may require. No refunds shall be made on applications not filed within the time allowed by this section and in such manner as the Secretary may otherwise require. The term 'governmental entities,' for the purposes of this subsection, shall mean all counties, incorporated cities and towns, water and sewer authorities created and existing under the provisions of Chapter 162A of the General Statutes, lake authorities created by a board of county commissioners pursuant to an act of the General Assembly, sanitary districts, regional councils of governments created pursuant to G.S. 160A-470, area mental health, mental retardation, and substance abuse authorities (other than single-county area authorities) established pursuant to Article 4 of Chapter 122C of the General Statutes, district health departments, regional planning and economic development commissions created pursuant to G.S. 158-14, regional sports authorities created pursuant to G.S. 160A-479, regional economic development commissions created pursuant to G.S. 158-8, regional planning commissions created pursuant to G.S. 153A-391, metropolitan sewerage districts and metropolitan water districts in this State, the North Carolina Low-Level Radioactive Waste Management Authority created pursuant to Chapter 104G of the General Statutes, the North Carolina Hazardous Waste Management Commission created pursuant to Chapter 130B of the General Statutes, and the Rockingham County Airport Authority. Notwithstanding the foregoing provisions of this subsection, the constituent institutions of The University of North Carolina may obtain in the manner prescribed by this subsection a refund of sales and use tax paid by them on or after January 1, 1992, for tangible personal property acquired by them through the expenditure of contract and grant funds.

(d) Penalties for Late Applications. Refunds made pursuant to applications filed after the dates specified in subsections (b) and (c) above shall be subject to the following penalties for late filing: applications filed within 30 days after said dates, twenty-five percent (25%); applications filed after 30 days but within six months after said dates, fifty percent (50%). However, refunds which are applied for after six months following said dates shall be barred.

(e) State Agencies. The State is allowed quarterly refunds of local sales and use taxes paid by a State agency on direct purchases of tangible personal property and local sales and use taxes paid indirectly by the State agency on building materials, supplies, fixtures, and equipment that become a part of or annexed to a building or structure that is being erected, altered, or repaired and is owned or leased by the State agency. This subsection does not apply to purchases for which a State agency is allowed a refund under subsection (c) of this section.

A person who pays local sales and use taxes on building materials or other tangible personal property for a State building project shall give the State agency for whose project the property was purchased a signed statement containing all of the following information:

- (1) The date the property was purchased.
- (2) The type of property purchased.
- (3) The project for which the property was used.
- (4) If the property was purchased in this State, the county in which it was purchased.
- (5) If the property was not purchased in this State, the county in which the property was used.
- (6) The amount of sales and use taxes paid.

If the property was purchased in this State, the person shall attach a copy of the sales receipt to the statement. A State agency to whom a statement is submitted shall verify the accuracy of the statement.

Within 15 days after the end of each calendar quarter, every State agency shall file with the Secretary a written application for a refund of taxes to which this subsection applies paid by the agency during the quarter. The application shall contain all information required by the Secretary. The Secretary shall credit the local sales and use tax refunds directly to the General Fund."

(c) This section is effective upon ratification. G.S. 105-164.14(e), as enacted by this section, applies to property purchased on or after April 1, 1991. Notwithstanding the provisions of G.S. 105-164.14(e), as enacted by this section, every State agency to which that provision applies shall, within 15 days after the date this act is ratified, file the application for a refund of taxes paid during the quarter that ends July 1, 1991.

Requested by: Representatives Bowman, N.J. Crawford, Senators Martin of Guilford, Basnight, Plyler

-----DEPARTMENT OF REVENUE AUTOMATION PROPOSAL

Sec. 190.2. (a) The Department of Revenue shall present a written and verbal report not later than October 15, 1991, to a full meeting of the Information Technology Commission and to the Office of State Budget and Management on the emergency conditions that exist in its information systems operations. The Information Technology Commission shall make a recommendation to the Office of State Budget and Management concerning the nature of the emergency and a recommendation on whether funds should be expended from the Reserve for Data Processing Equipment in the Office of State Budget and Management to meet the emergency situation.

(b) The Information Technology Commission shall appoint from its membership a five-member subcommittee to analyze the Department of Revenue's proposal to acquire a mainframe computer and install tax administration software to enhance its integrated tax administration system. One of the five members of the subcommittee shall be the State Auditor, who shall serve as its chairman. The subcommittee shall rely on staff expertise from the Office of State Controller, State Information Processing Services (SIPS), the Department of Revenue, and management information systems staff in the other departments represented on the Information Technology Commission to prepare the analysis. This analysis shall address (i) whether the Department of Revenue's proposal is practical, (ii) the amount by which the proposal will increase tax collections, (iii) the amount of savings to the State the proposal will produce by improving tax efficiency, (iv) the amount of savings to the State that

would result from the receipt of tax payments by electronic funds transfer pursuant to the enhanced automation system based on increased investment earnings on these payments due to the reduced time lag in receiving and processing the payments, and (v) any other relevant issues. The subcommittee's written analytic report, and any relevant materials obtained or prepared by the subcommittee, shall be presented to a full meeting of the Information Technology Commission not later than October 31, 1991. The Information Technology Commission shall deliver a report, incorporating the subcommittee's analysis and containing specific recommendations concerning the Department of Revenue's proposal, to the Fiscal Research Division and the Automated Systems Division of the General Assembly not later than December 31, 1991. The Information Technology Commission shall present its report and analysis to the Joint Legislative Commission on Governmental Operations on or before March 1, 1992.

PART 33.-----DEPARTMENT OF CULTURAL RESOURCES

Requested by: Representatives Bowman, N.J. Crawford, Colton, Senator Martin of Guilford

-----MUSEUM OF HISTORY/MODIFY DUTIES

Sec. 191. (a) G.S. 121-7(b) reads as rewritten:

"(b) Insofar as practicable, the North Carolina Museum of History shall accession and maintain records showing provenance, value, location, and other pertinent information on such furniture, furnishings, decorative items, and other objects as have historical or cultural importance and which are owned by or to be acquired by the State for use in the State ~~Capitol, Capitol and the Executive Mansion, and, upon request of the Department of Administration, any other state-owned building.~~ When any such item or object has been entered in the accession records of the Museum of History, the custodian of such item or object shall, upon its removal from the premises upon which it was located or when it is otherwise disposed of, submit to the Museum of History sufficient details concerning its removal or disposition to permit an adequate entry in the accession records to the end that its location or disposition, and authority for such change, shall be showed therein."

(b) This section is effective upon ratification.

Requested by: Representatives Bowman, N.J. Crawford, Colton, Senator Martin of Guilford

-----MUSEUM OF HISTORY CONTRACTS

Sec. 192. (a) G.S. 121-4 is amended by adding a new subdivision to read:

"(16) To enter into an agreement with a private nonprofit corporation for the management of facilities to provide food and beverages at the North Carolina Museum of History. Any net proceeds received by the private nonprofit corporation shall be devoted to the work of the Department. Any private nonprofit corporation entering into an agreement with the Department with regard to the management of the facilities may enter into further agreements with private persons or corporations concerning the operation of the facilities. The Department may enter into an agreement in regard to obtaining or installing equipment, furniture, and furnishings for such facilities."

(b) This section is effective upon ratification.

PART 34.-----PUBLIC SCHOOLS

Requested by: Senators Ward, Warren, Basnight, Plyler

-----TEACHER SALARY SCHEDULE

Sec. 193. (a) The following monthly salary schedule shall apply to certified personnel of the public schools who are classified as "A" teachers for the 1991-92 fiscal year. The schedule contains 30 steps with each step corresponding to one year of teaching experience.

<u>Years</u> <u>Experience</u>	<u>1991-92</u> <u>Salary</u>
0	\$1,981
1	1,981
2	2,021
3	2,111
4	2,141
5	2,172
6	2,204
7	2,263
8	2,332
9	2,366
10	2,400
11	2,458
12	2,494
13	2,530
14	2,598
15	2,636
16	2,706
17	2,746
18	2,819
19	2,897
20	2,939
21	3,021
22	3,065
23	3,149
24	3,195
25	3,241
26	3,288
27	3,336
28	3,386
29+	3,436

Notwithstanding the salary schedule set out in this subsection, certified personnel of the public schools who are classified as "A" teachers for the 1991-92 fiscal year and who had 29 or more years of experience during the 1990-91 fiscal year, shall receive a monthly salary of \$3,487.

(b) The following monthly salary schedule shall apply to certified personnel of the public schools who are classified as "G" teachers for the 1991-92 fiscal year. The schedule contains 30 steps with each step corresponding to one year of teaching experience.

<u>Years</u> <u>Experience</u>	<u>1991-92</u> <u>Salary</u>
0	\$2,105
1	2,105
2	2,147
3	2,241
4	2,273
5	2,306
6	2,339
7	2,404
8	2,469
9	2,505
10	2,541
11	2,609
12	2,647
13	2,685
14	2,724

15	2,798
16	2,875
17	2,916
18	2,998
19	3,042
20	3,125
21	3,170
22	3,259
23	3,306
24	3,399
25	3,447
26	3,497
27	3,548
28	3,600
29+	3,652

Notwithstanding the salary schedule set out in this subsection, certified personnel of the public schools who are classified as "G" teachers for the 1991-92 fiscal year and who had 29 or more years of experience during the 1990-91 fiscal year, shall receive a monthly salary of \$3,706.

(c) The rules adopted by the State Board of Education for allocating funds to individuals shall provide for (i) a seven and one-half percent (7.5%) salary increase for teachers with certification based on academic preparation at the six-year degree level; (ii) a ten percent (10%) salary increase for teachers with certification based on academic preparation at the doctoral degree level; and (iii) annual longevity pay at two and one-half percent (2.5%) of base salary only upon the completion of 25 years of State service.

Requested by: Representatives Fussell, Payne, Barnes, Senators Ward, Warren
-----SENATE BILL 2 FUNDS

Sec. 194. (a) Of the funds appropriated to administer the School Improvement and Accountability Act of 1989, Senate Bill 2 of the 1989 General Assembly, the sum of \$10,000,000 for the 1991-92 fiscal year shall be used only for staff development activities to assist local school administrative units in developing and implementing local school improvement plans. These funds shall not be used for differentiated pay. No local school administrative unit shall use more than its pro rata share of \$10,000,000 for staff development activities.

Staff development funds may be used for pay for substitute teachers, stipends for employees who participate in staff development activities outside of the regular work day, salary and benefits for instructors, and workshop expenses.

All funds allocated pursuant to this subsection for staff development that are not spent for that purpose shall revert on June 30, 1992.

(b) Of the funds appropriated to administer the School Improvement and Accountability Act of 1989, the sum of \$29,436,046 for the 1991-92 fiscal year shall be used only for differentiated pay, in accordance with this subsection. These funds shall not be used for staff development activities.

Within 30 days of the first teacher workday on the 1991-92 school calendar, each local board of education shall present to affected employees, for their review and vote, two options for differentiated pay for the 1991-92 school year only. The first differentiated pay option shall be a proposal to continue or modify, in accordance with the School Improvement and Accountability Act of 1989, its existing differentiated pay plan. The second differentiated pay option shall be a proposal for across-the-board bonuses for all affected employees. These across-the-board bonuses shall be an equal percent of the State-paid salary for each affected employee, except that the maximum amount any employee may receive shall be \$550.

The vote shall be by secret ballot. All of the certificated instructional staff members, instructional support staff members, and certificated administrators who are eligible to receive funds for differentiated pay under the School Improvement and

Accountability Act of 1989 may vote. The local board shall immediately submit the option that receives a majority of all the votes cast to the Superintendent of Public Instruction for his approval. A differentiated pay plan shall become effective upon the approval of the Superintendent.

If a local board of education implements across-the-board bonuses for the 1991-92 school year, all funds not spent for that purpose shall revert on June 30, 1992.

(c) The total amount received by a local school administrative unit under this section shall be no more than 2% of the State-paid teachers' and administrators' salaries, and the employer's contribution for social security and retirement.

(d) This section does not apply to any funds appropriated for the career ladder pilot units.

With regard to a local school administrative unit that resulted from the merger of a career ladder pilot unit and another unit, this section shall apply only to funds received under this section to administer the School Improvement and Accountability Act of 1989.

(e) This section applies to the 1991-92 fiscal year only.

Requested by: Representatives Diamont, Payne, Fussell, Barnes, Senators Ward, Warren

-----SALARY SCHEDULE FOR ADMINISTRATORS

Sec. 195. Prior to February 1, 1992, the State Board of Education shall develop a reasonable salary schedule for superintendents, assistant superintendents, associate superintendents, supervisors, directors, coordinators, evaluators, program administrators, principals, and assistant principals whose salaries are supported from the State's General Fund.

The State Board of Education shall also develop a reasonable schedule for implementing this salary schedule.

The State Board of Education shall report to the Joint Legislative Commission on Governmental Operations prior to February 1, 1992, on the salary schedule developed pursuant to this section and the proposed implementation schedule for this salary schedule.

This section shall not be construed to obligate the General Assembly to appropriate funds to implement the salary schedule developed pursuant to this section or to obligate the State Board of Education to implement the salary schedule.

Requested by: Representatives Barnes, Fussell, Payne, Rogers, Diamont, Nesbitt, Senators Ward, Warren

-----BASIC EDUCATION PROGRAM

Sec. 196. (a) G.S. 115C-81(a) reads as rewritten:

"(a) The State Board of Education shall adopt a Basic Education Program for the public schools of the State. Before it adopts or revises the Basic Education Program, the State Board shall consult with an Advisory Committee, including at least eight members of local boards of education, that the State Board appoints from a list of nominees submitted by the North Carolina School Boards Association. The State Board shall report annually to the General Assembly on any changes it has made in the program in the preceding 12 months and any changes it is considering for the next 12 months.

The State Board of Education shall review the Basic Education Program in an effort to (i) simplify the Basic Education Program, especially the standard course of study and the core curriculum for all students, and (ii) assure that the Program adopted by the State Board and implemented by the local boards of education carries out the intent of the General Assembly to provide every student in the State equal access to a Basic Education Program. The State Board shall report the results of its review to the Joint Legislative Education Oversight Committee and to the General Assembly prior to March 15, 1992.

The State Board shall implement the Basic Education Program within funds appropriated for that purpose by the General Assembly and by units of local

government. It is the intent of the General Assembly that until the Basic Education Program is fully funded, the implementation of the Basic Education Program shall be the focus of State educational funding. It is the goal of the General Assembly that the Basic Education Program be fully funded and completely operational in each local school administrative unit by July 1, 1995.

It is further a goal of the General Assembly to provide supplemental funds to low-wealth counties to allow those counties to enhance the instructional program and student achievement."

(b) G.S. 115C-12(9) reads as rewritten:

"(9) Miscellaneous Powers and Duties. — All the powers and duties exercised by the State Board of Education shall be in conformity with the Constitution and subject to such laws as may be enacted from time to time by the General Assembly. Among such duties are:

- a. To certify and regulate the grade and salary of teachers and other school employees.
- b. To adopt and supply textbooks.
- c. To adopt rules requiring all local boards of education to implement the Basic Education Program on an incremental basis within funds appropriated for that purpose by the General Assembly and by units of local government. Beginning with the 1991-92 school year, the rules shall require each local school administrative unit to implement fully the standard course of study in every school in the State in accordance with the Basic Education Program so that every student in the State shall have equal access to the curriculum as provided in the Basic Education Program and the standard course of study.

The Board shall establish benchmarks by which to measure the progress that each local board of education has made in implementing the Basic Education Program. The Board shall report to the Joint Legislative Education Oversight Committee and to the General Assembly by December 31, 1991, and by February 1 of each subsequent year on each local board's progress in implementing the Basic Education Program, including the use of State and local funds for the Basic Education Program.

The Board shall develop a State accreditation program that meets or exceeds the standards and requirements of the Basic Education Program. The Board shall require each local school administrative unit to comply with the State accreditation program to the extent that funds have been made available to the local school administrative unit for implementation of the Basic Education Program.

The Board shall use the State accreditation program to monitor the implementation of the Basic Education Program.

- c1. To issue an annual 'report card' for the State and for each local school administrative unit, assessing each unit's efforts to improve student performance and taking into account progress over the previous years' level of performance and the State's performance in comparison with other states. This assessment shall take into account demographic, economic, and other factors that have been shown to affect student performance.
- c2. To develop management accountability indicators to measure the efficiency and appropriate use of staff in each school and at the administrative office. Staff development for school administrators shall be a high priority of the Department of Public Instruction.
- d. To formulate rules and regulations for the enforcement of the compulsory attendance law.

- e. To manage and operate a system of insurance for public school property, as provided in Article 38 of this Chapter.

In making substantial policy changes in administration, curriculum, or programs the Board should conduct hearings throughout the regions of the State, whenever feasible, in order that the public may be heard regarding these matters."

(c) G.S. 115C-238.6(a) reads as rewritten:

"(a) Prior to June 30 each year, the State Superintendent shall review local school improvement plans submitted by the local school administrative units in accordance with policies and performance indicators adopted by the State Board of Education. If the State Superintendent approves the plan for a local school administrative unit, that unit shall participate in the Program for the next fiscal year.

If a local plan contains a request for a waiver of State laws, regulations, or policies, in accordance with G.S. 115C-238.3(e), the State Superintendent shall determine whether and to what extent the identified laws, regulations, or policies should be waived. The State Superintendent shall present that plan and his determination to the State Board of Education. If the State Board of Education deems it necessary to do so to enable a local unit to reach its local accountability goals, the State Board, only upon the recommendation of the State Superintendent, may grant waivers of:

- (1) State laws pertaining to class size, teacher certification, assignment of teacher assistants, the use of State-adopted textbooks, and the purposes for which State funds for the public schools may be used, and used: Provided, however, the State Board of Education shall not permit the use of funds for teachers for expanded programs under the Basic Education Program for any other purpose.
- (2) All State regulations and policies, except those pertaining to State salary schedules and employee benefits for school employees, the instructional program that must be offered under the Basic Education Program, the system of employment for public school teachers and administrators set out in G.S. 115C-325, health and safety codes, compulsory school attendance, the minimum lengths of the school day and year, and the Uniform Education Reporting System."

(d) The Department of Public Instruction shall report to the Joint Legislative Education Oversight Committee and to the General Assembly before May 1, 1992, on the methods used to measure student achievement.

(e) Funds appropriated to the Department of Public Education for the 1991-93 fiscal biennium to be used in completing the funding of teachers for expanded programs under the Basic Education Program shall be used by local school administrative units (i) to implement fully the standard course of study in every school in the State in accordance with the Basic Education Program so that every student in the State shall have equal access to the curriculum provided for therein, and (ii) to restore local teaching positions that may have been deleted as a result of budget cuts contained in this act.

The State Board of Education shall not waive, in accordance with G.S. 115C-238.6(a), the requirement that all local schools use these funds for teachers for expanded programs to implement fully the standard course of study in every school in the State.

(f) It is the intent of the General Assembly that base budget reductions made in this act in clerical positions for local school administrative units be taken to the extent possible in central office positions and not in school-based positions.

Requested by: Representatives Barnes, Diamont, Nesbitt, Payne, Fussell, Senators Ward, Warren

-----EXTENDED SCHOOL DAY

Sec. 197. G.S. 115C-84(a) reads as rewritten:

"(a) School Day. — The length of the school day shall be determined by the several local boards of education for all public schools in their respective local school

administrative units, and the minimum time for which teachers shall be employed in the schoolroom or on the grounds supervising the activities of children shall not be less than six hours: Provided, the several local boards of education may adopt rules and regulations allowing handicapped pupils, kindergarten pupils, and pupils attending the first, second, and third grades to attend school for a period less than six hours. The superintendent of the several local boards of education, in the event of an emergency, act of God, or any other conditions requiring the termination of classes before six hours have elapsed, may suspend the operation of any school for that particular day without loss of credit to the pupil or loss of pay to the teacher.

The General Assembly urges the local boards of education to expand the length of the school day so that it includes at least six hours of instructional time."

Requested by: Representatives Barnes, Fussell, Payne, Diamont, Nesbitt, Senators Ward, Warren

-----SCHOOL-TO-WORK TRANSITION

Sec. 198. G.S. 115C-81(a1) reads as rewritten:

"(a1) The Basic Education Program shall describe the education program to be offered to every child in the public schools. It shall provide every student in the State equal access to a Basic Education Program. Instruction shall be offered in the areas of arts, communication skills, physical education and personal health and safety, mathematics, media and computer skills, science, second languages, social studies, and vocational education.

Instruction in vocational education under the Basic Education Program shall be based on factors including:

- (1) The integration of academic and vocational education;
- (2) A sequential course of study leading to both academic and occupational competencies;
- (3) Increased student work skill attainment and job placement;
- (4) Increased linkages, where geographically feasible, between public schools and community colleges, so the public schools can emphasize academic preparation and the community colleges can emphasize specific job training; and
- (5) Instruction and experience, to the extent practicable, in all aspects of the industry the students are prepared to enter."

Requested by: Representatives Payne, Fussell, Barnes, Nesbitt, Diamont, Senators Basnight, Plyler, Barnes, Ward, Warren

-----OUTCOME-BASED EDUCATION

Sec. 199. (a) Article 16 of Chapter 115C of the General Statutes is amended by adding a new Part to read:

"Part 5. Outcome-Based Education Program.

"§ 115C-238.12. Purpose of program.

An outcome-based education program is a program in which expectations for student achievement are clearly stated in terms of knowledge, skills, and attitudes. Students develop skills and attitudes to maximize the acquisition of knowledge. The program recognizes that achievement occurs as a result of individual and developmental progress towards goals, and reflects that students learn at different rates using varying learning styles. Outcome-based education measures achievement periodically throughout the learning process and is the criteria for high school graduation. Measurement of student achievement is implemented by teachers to complement varied learning growth and styles. The results of those measurements are used to determine when a student understands and has mastered the material and is ready to move forward in the learning process.

"§ 115C-238.13. Implementation of the project by the State Board of Education.

(a) The State Board of Education shall develop and implement an outcome-based education program. The State Board of Education shall select four sites to participate

in the program for five fiscal years beginning with the 1992-93 fiscal year. The first year of the project shall be a year for the sites to plan their projects. The remaining four years shall be to implement the projects and to demonstrate their effectiveness.

(b) The State Board of Education shall adopt expectations for student achievement, necessary for students to function successfully in the next century. These expectations shall be consistent with national education goals recommended by the National Governors' Association in 1990. The State Board of Education, after consultation with the Board of Governors of The University of North Carolina, the State Board of Community Colleges, representatives of independent colleges, representatives of the business community, representatives of the Department of Public Instruction, representatives of local school administrative units, principals, teachers, and parents, shall adopt proficiencies that are required for graduation from high school. These expectations and proficiencies shall be adopted no later than June 15, 1992, and shall be used by the sites to develop their local outcome-based education projects.

The proficiencies that are required for graduation from high school may include:

- (1) Writing — High school graduates will be able to organize complex, demanding, and extended subject matter clearly and effectively. They will produce structured writings in which relationships between successive paragraphs are signaled by connective words and phrases. They will punctuate their writing so that meaning and structure are clear.
- (2) Reading — High school graduates will be able to make independent and discriminating selections from a range of reference materials; retrieve information from those materials using techniques such as skimming; and evaluate and synthesize information from different parts of a text or different texts.
- (3) Mathematics — High school graduates will be able to present a set of complex data in a simplified form using a variety of diagrams and graphs.

(c) The State Board of Education, the Board of Governors of The University of North Carolina, and the State Board of Community Colleges shall work jointly to develop a mechanism by which the institutions of higher education accept certification of proficiencies on high school transcripts in lieu of Carnegie units.

"§ 115C-238.14. Selection of sites.

(a) No later than October 10, 1991, the State Board of Education shall develop a competitive process for the selection of project sites.

(b) No later than November 30, 1991, the Department of Public Instruction shall initiate the competitive process for the selection of project sites and shall conduct regional briefings for local school administrative units interested in submitting proposals. The regional briefings shall provide detailed information about outcome-based education models so local school administrative units can decide whether to compete for selection as a project site.

(c) No later than February 29, 1992, local school administrative units shall submit their proposals to the Department of Public Instruction. The proposal may cover all or part of the schools in a local school administrative unit.

The proposal shall include information regarding the local school administrative unit's plan for, ability to, and commitment to complying with the following requirements for local programs:

- (1) The program shall ensure that all students have access to a common core of knowledge and that all students are treated equitably.
- (2) Student advancement shall be based on the mastery of the proficiencies adopted by the State Board of Education pursuant to G.S. 115C-238.13(b).
- (3) Students shall be allowed to progress at different rates; however, expectations for progress shall be based on the goal that all students master the proficiencies required for high school graduation. Computer assisted, personal education plans shall be available for every student.

- (4) Parents and guardians shall be involved in a student's selection of high school completion options.
- (5) Teachers and principals shall have a major role in development of local projects.
- (6) A majority of the teachers and principals who will participate in the pilot project shall approve the proposal for selection as a pilot site and the plans for the local program before they are submitted to the Department of Public Instruction.
- (7) Programs shall provide each student a school-based adult advocate to foster self-esteem, protect learning options, ensure that student needs are being met, and ensure that students are being treated equitably.
- (8) Projects shall be shared with the public. Annual reports describing program goals, activities, and accomplishments shall be made available to the public. The reports shall contain specific information regarding the contributions of teachers, administrators, and the local board of education to the program, and to student progress under the program.

(d) The Department of Public Instruction shall review the proposals and shall transmit its recommendations regarding the sites to the State Board of Education no later than April 30, 1992. The Department of Public Instruction shall involve an advisory committee comprised of business leaders, legislators, school board members, public school administrators, and other educators in the review process.

(e) The State Board of Education shall select the project sites no later than June 15, 1992. The State Board shall base its decision on the local school administrative units' plans for, ability to, and commitment to complying with the requirements for local programs set out in subsection (c) of this section.

"§ 115C-238.15. Development of local programs by the project sites.

(a) From June 15, 1992, through March 15, 1993, the project sites shall develop their local programs. No later than March 15, 1993, the sites shall submit their plans to the Department of Public Instruction for review. No later than May 30, 1993, the Department shall review the plans and work with the sites to assure that the plans carry out the provisions of this Part.

(b) The Department of Public Instruction shall provide technical assistance to the sites in developing their local programs.

(c) In developing its local plan, each local school administrative unit shall select the outcome-based education model to be followed. Each local school administrative unit shall determine the instructional programs and strategies used to develop student proficiencies at its site. Under the plan, teachers shall determine when the proficiencies of a group of students are assessed; provided, however, State-administered tests shall be used to test proficiencies at a site no more than four times a year. Student advancement shall be determined by school-based personnel assigned to oversee the instructional program of a group of students.

(d) In developing and administering local projects, local boards of education need broad decision-making authority so that teachers and administrators at the sites can experiment with the instructional activities that meet the instructional needs in that particular setting. Each local school administrative unit shall set forth in its plan, with specificity, those aspects of the plan that would be enhanced by flexibility with regard to statutes and regulations. The State Board of Education may grant each local school administrative unit such flexibility with regard to statutes and regulations as it finds necessary and appropriate to implement a local program (i) so long as the projects and activities are carried out within total funds available for that purpose, and (ii) so long as the State Board of Education does not find as a fact that the flexibility is being abused.

The State Board of Education shall report such flexibility with regard to statutes and regulations contained in any projects or proposed changes to projects to the Joint Legislative Commission on Governmental Operations.

(e) Local projects may include model accountability programs that meet the needs of the project sites. To the extent that the State Board of Education finds that these

accountability programs provide sufficient data for oversight, they may be used instead of other State-mandated programs.

(f) Local projects shall include plans to train and retrain teachers, administrators, and school board members to implement the projects.

"§ 115C-238.16. Approval and implementation of plans.

(a) Between March 15, 1993, and June 1, 1993, the State Board of Education shall receive plans for projects from the project sites and the comments of the Department of Public Instruction regarding the projects.

(b) No later than June 15, 1993, the State Board of Education shall approve the plans for the projects, approve the plans with modifications, or reject the plans.

(c) The project sites shall begin implementation immediately of projects approved, or approved with modifications, by the State Board.

"§ 115C-238.17. Annual assessment and reapproval of plans.

(a) Between March 15 and May 15 of each subsequent year of the project, the projects shall submit to the Department of Public Instruction any data requested by the Department of Public Instruction or the State Board of Education and any proposed changes in the projects. No later than May 30 each year, the Department shall review the data and the proposed changes in the plans for the projects and shall work with the project sites to assure that the plans carry out the provisions of this Part.

(b) Between March 15 and June 1 of each subsequent year, the State Board of Education shall receive the data requested and the proposed changes in plans for projects from the project sites and shall receive the comments of the Department of Public Instruction regarding the data and the proposed changes in the projects. The State Board shall also consider the results of audits and evaluations performed pursuant to G.S. 115C-238.18.

(c) No later than June 15 of each subsequent year, the State Board of Education shall reapprove the plans and any changes for the projects, reapprove the plans and any changes with modifications, or reject the plans.

(d) The project sites shall begin implementation immediately of projects reapproved, or reapproved with modifications, by the State Board.

"§ 115C-238.18. Evaluation of program.

(a) State-Level Program Evaluation Procedures. — A program audit shall be conducted by the Office of the State Auditor following the first and second years of the program. The audit shall certify that the State Board of Education and State Department of Public Instruction have implemented procedures as specified by the General Assembly. The audit shall focus on the autonomy and flexibility given to local school administrative units in the development of outcome-based education models and plans so as to determine if the appropriate amount of autonomy and flexibility was sought and granted and if the autonomy and flexibility were used properly.

(b) Local-Level Program Evaluation Procedures. —

(1) The program audit conducted by the Office of the State Auditor following the second year of the program shall include a local-level procedures component. The audit shall certify that local plans contain elements as specified by the General Assembly. The audit shall also certify that teachers and building level administrators were involved in the development of plans.

(2) The Department of Public Instruction shall conduct a process evaluation of each pilot site following the second through sixth years of the program. The evaluation shall determine how well plans have been implemented. The evaluation shall focus on staff development, organizational and instructional activities, and the involvement and acceptance of the project by all concerned groups including the board of education, administrators, teachers, parents, students, and the business community.

(c) Student-Level Outcomes Evaluation. —

(1) Local pilot sites shall develop and implement accountability models designed to measure student outcomes. The plans shall include the use of

tests available through the State's testing program. Accountability models shall be part of the site plans submitted to the State Board for approval.

- (2) The State Department of Public Instruction shall audit the implementation of accountability models. Audits shall be conducted following the third, fourth, fifth, and sixth years of the program.
- (3) The State Department of Public Instruction shall conduct a summative evaluation following the sixth year of the program. Student outcomes shall be the focus of the summative evaluation.

(d) Reports to the General Assembly. — The State Board of Education shall submit a summative evaluation report on the projects to the General Assembly no later than March 15, 1998.

"§ 115C-238.19. Solicitation of private funds for additional sites.

The State Board of Education shall design and implement a program for soliciting private funds to support the outcome-based education pilot sites. As funds become available, the State Board may request that the General Assembly authorize additional sites to participate in the program."

(b) Of the funds appropriated to the Department of Public Education, the sum of \$100,000 for the 1991-92 fiscal year shall be used for advance planning for the outcome-based education program at four sites pursuant to subsection (a) of this section and the sum of \$3,000,000 for the 1992-93 fiscal year shall be used to implement the program at the four pilot sites. These funds shall be allocated on the basis of \$500.00 for each State-funded certificated employee participating in the program. These funds shall be used (i) for staff development activities, including planning activities, for teachers, administrators, and school board members, (ii) to pay substitute teachers while teachers are engaged in staff development activities, and (iii) to pay 10-month employees for participating in staff development activities, including planning activities during the summer.

It is the intent of the General Assembly to appropriate an additional \$3,000,000 each year for the 1993-94 through 1996-97 fiscal years to complete the implementation of the outcome-based education program at the four sites.

(c) Of the funds appropriated for aid to local school administrative units for the 1991-92 fiscal year, the State Board of Education may allocate \$2,019,940 to the Department of Public Instruction to implement and administer end-of-course tests, to continue the Preliminary Scholastic Aptitude Testing (PSAT) Program, and to continue the National Assessment of Educational Program (NAEP) testing.

Requested by: Representatives Diamont, Payne, Fussell, Barnes Nesbitt, Senators Ward, Warren

-----SCHOOL ADMINISTRATOR TRAINING AND CERTIFICATION

Sec. 200. (a) G.S. 115C-284 reads as rewritten:

"§ 115C-284. Method of selection and requirements.

(a) Principals and supervisors shall be elected by the local boards of education upon the recommendation of the superintendent, in accordance with the provisions of G.S. 115C-276(j).

(b) In the city administrative units, principals shall be elected by the board of education of such administrative unit upon the recommendation of the superintendent of city schools.

(c) The State Board of Education shall have entire control of certifying all applicants for supervisory and professional positions in all public elementary and high schools of North Carolina; and it shall prescribe the rules and regulations for the renewal and extension of all certificates, and shall determine and fix the salary for each grade and type of certificate which it authorizes. Provided, that the State Board of Education shall require each applicant for an initial certificate or graduate certificate to demonstrate his academic and professional preparation by achieving a prescribed minimum score at least equivalent to that required by the Board on November 30, 1972, on a standard examination appropriate and adequate for that purpose:

Provided, further, that in the event the Board shall specify the National Teachers Examination for this purpose, the required minimum score shall not be lower than that which the Board required on November 30, 1972- 1972: Provided, further, that the Board shall not issue provisional certificates for principals and assistant principals.

(c1) It is the policy of the State of North Carolina to maintain the highest quality principal and assistant principal education programs in order to enhance the competence of professional personnel certified in North Carolina. To ensure that principal and assistant principal preparation programs are upgraded to reflect a more rigorous course of study, the State Board of Education shall submit to the General Assembly not later than March 1, 1992, a plan to promote this policy. In developing this plan, the State Board shall consider (i) requiring these programs to include additional preparation for site-based decision making and for the additional autonomy being granted to local schools units, (ii) enhancing program entrance requirements to include assessment of an applicant's ability to complete the program and to perform as a principal, and (iii) enhancing the overall content of the programs.

The State Board of Education, as lead agency in coordination and cooperation with the University Board of Governors and such other public and private agencies as are necessary, shall refine the several certification requirements, standards for approval of institutions of principal and assistant principal education, standards for institution-based innovative and experimental programs, and standards for improved efficiencies in the administration of the approved programs.

(d) Repealed by Session Laws 1989, c. 385, s. 1.

(d1) It is the policy of the State of North Carolina that, subsequent to the adoption of a system of classroom teacher differentiation and prerequisites to candidacy for principal, a classroom teacher must have attained at least the second level of differentiation, have at least four years of classroom teaching experience, and possess, at least, a Masters Degree in Education Administration. This subsection shall not apply to educational personnel certified as of July 1, 1984.

(e) It shall be unlawful for any board of education to employ or keep in service any principal or supervisor who neither holds nor is qualified to hold a certificate in compliance with the provision of the law or in accordance with the regulations of the State Board of Education.

(f) The allotment of classified principals shall be one principal for each duly constituted school with seven or more state-allotted teachers and shall be included in the calculation of the allotment of general teachers set out in G.S. 115C-301(b)(i).

(g) Local boards of education shall have authority to employ supervisors in addition to those that may be furnished by the State when, in the discretion of the board of education, the schools of the local school administrative unit can thereby be more efficiently and more economically operated and when funds for the same are provided in the current expense fund budget. The duties of such supervisors shall be assigned by the superintendent with the approval of the board of education.

(h) All principals and supervisors employed in the public schools of the State or in schools receiving public funds, shall be required either to hold or be qualified to hold a certificate in compliance with the provision of the law or in accordance with the regulations of the State Board of Education: ~~Provided, that nothing herein shall prevent the employment of temporary personnel under such rules as the State Board of Education may prescribe. Education.~~

(b) G.S. 115C-289 reads as rewritten:

"§ 115C-289. Assignment of principal's duties to assistant or acting principal; duties of State-funded assistant principals.

(a) Any duty or responsibility assigned to a principal by statute, State Board of Education regulation, or by the superintendent may, with the approval of the local board of education, be assigned by the principal to an assistant principal designated by the local board of education or to an acting principal designated by a principal.

(b) ~~Except as provided in subsection (c), all~~ All persons employed as assistant principals in State-allotted positions, or as assistant principals in full-time positions

regardless of funding source, in the public schools of the State or in schools receiving public funds, shall, in addition to other applicable requirements, be required either to hold or be qualified to hold a principal's certificate in compliance with applicable law and in accordance with the regulations of the State Board of Education. ~~Except as provided in subsection (c), it is~~ shall be unlawful for any board of education to employ or keep in service any assistant principal who neither holds nor is qualified to hold a principal's certificate in compliance with applicable law and in accordance with the regulations of the State Board of Education. ~~Nothing herein shall prevent the employment of temporary personnel under such rules as the State Board of Education may prescribe.~~

~~(c) Subsection (b) shall not apply to any person who was employed as an assistant principal in either a full- or part-time position during the 1986-87 school term until the first day of the 1990-91 school term. Such persons shall meet all other requirements which are applicable to teachers generally. In addition, the local board of education may in its discretion require that any person employed as an assistant principal make satisfactory progress, as determined by the local board, toward meeting the requirements for certification as a principal.~~

(d) Assistant principals paid from State funds shall not have regularly assigned teaching duties."

(c) Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-12.1. Training of State Board members.

The State Board of Education shall establish minimum training requirements for members of the State Board of Education. All Board members shall participate in training programs, as required by the State Board."

(d) Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-50. Training of board members.

All members of local boards of education shall receive a minimum of 12 clock hours of training annually. The training shall include but not be limited to public school law, public school finance, and duties and responsibilities of local boards of education. The training may be provided by the North Carolina School Boards Association, the Institute of Government, or other qualified sources at the choice of the local board of education."

(e) Chapter 116 of the General Statutes is amended by adding a new section to read:

"§ 116-11.2. Duties regarding programs in education administration.

The Board of Governors shall direct the constituent institutions with programs in education administration to revise the programs to reflect any increased standards required for programs approved by the State Board of Education, including new requirements for school-based leadership in the public schools. The Board of Governors shall monitor the programs and devise an assessment plan for all programs leading to certification in education administration."

(f) Of the funds appropriated to the Board of Governors of The University of North Carolina for the 1991-93 fiscal biennium, the sum of \$150,000 for the 1991-92 fiscal year and the sum of \$570,000 for the 1992-93 fiscal year shall be used to expand the Principals Executive Program operated by the Institute of Government. Of these funds, the sum of \$150,000 for the 1991-92 fiscal year and the sum of \$150,000 for the 1992-93 fiscal year shall be used to expand the program at the Chapel Hill site; the sum of \$420,000 for the 1992-93 fiscal year shall be used to provide the program at additional sites throughout the State and to offer the program to assistant principals.

Requested by: Representatives Holt, Payne, Fussell, Barnes, Senators Ward, Warren

-----NO WAIVERS OF FUNDS FOR SCHOOL HEALTH COORDINATORS
Sec. 201. G.S. 115C-238.6(a) reads as rewritten:

"(a) Prior to June 30 each year, the State Superintendent shall review local school improvement plans submitted by the local school administrative units in accordance with policies and performance indicators adopted by the State Board of Education. If the State Superintendent approves the plan for a local school administrative unit, that unit shall participate in the Program for the next fiscal year.

If a local plan contains a request for a waiver of State laws, regulations, or policies, in accordance with G.S. 115C-238.3(e), the State Superintendent shall determine whether and to what extent the identified laws, regulations, or policies should be waived. The State Superintendent shall present that plan and his determination to the State Board of Education. If the State Board of Education deems it necessary to do so to enable a local unit to reach its local accountability goals, the State Board, only upon the recommendation of the State Superintendent, may grant waivers of:

- (1) State laws pertaining to class size, teacher certification, assignment of teacher assistants, the use of State-adopted textbooks, and the purposes for which State funds for the public schools, except for funds for school health coordinators, may be used, and
- (2) All State regulations and policies, except those pertaining to State salary schedules and employee benefits for school employees, the instructional program that must be offered under the Basic Education Program, the system of employment for public school teachers and administrators set out in G.S. 115C-325, health and safety codes, compulsory school attendance, the minimum lengths of the school day and year, and the Uniform Education Reporting System."

Requested by: Representatives Payne, Fussell, Senators Basnight, Plyler
 -----SMALL SCHOOL SYSTEM SUPPLEMENTAL FUNDING

Sec. 201.1. (a) The State Board of Education shall allocate funds appropriated for small school system supplemental funding (i) to each county school administrative unit with an average daily membership of less than 3,000 students and (ii) to each county school administrative unit with an average daily membership of from 3,000 to 4,000 students if the county in which the local school administrative unit is located has a county adjusted property tax base per student that is below the State adjusted property tax base per student. The allocation formula shall:

- (1) Round all fractions of positions to the next whole position;
- (2) Provide four additional regular classroom teachers;
- (3) Provide additional program enhancement teachers adequate to offer the standard course of study;
- (4) Change the duty-free period allocation to one teacher assistant per 400 average daily membership;
- (5) Provide a base for the consolidated funds allotment of at least \$150,000, excluding textbooks; and
- (6) Allot vocational education funds for grade 6 as well as for grades 7-12.

If funds appropriated for each fiscal year for small school system supplemental funding are not adequate to fund fully the program, the State Board of Education shall reduce the amount allocated to each county school administrative unit on a pro rata basis. This formula is solely a basis for distribution of supplemental funding for certain county school administrative units and is not intended to reflect any measure of the adequacy of the educational program or funding for public schools. The formula is also not intended to reflect any commitment by the General Assembly to appropriate any additional supplemental funds for such county administrative units.

(b) A county in which a local school administrative unit receives funds under this section shall use the funds to supplement and not supplant existing State and local funding for public schools.

The Local Government Commission shall analyze the budgets and the expenditures of school administrative units that receive funds under this section in light of their budgets and expenditures for the previous year and shall determine whether those funds were used to supplement and not supplant State and local funding for

public schools. The Local Government Commission shall report the results of its study to the State Board of Education, the Joint Legislative Oversight Committee, and the Appropriations Committees of the Senate and the House of Representatives, prior to May 1, 1993.

(c) As used in this section:

- (1) "Average daily membership" means the final average daily membership in the most recent year for which county current expense appropriations and adjusted property tax valuations are available.
- (2) "County adjusted property tax base per student" means the total assessed property valuation for each county, adjusted using a weighted average of the three most recent annual sales assessment ratio studies, divided by the total number of students in average daily membership who reside within the county.
- (3) "Sales assessment ratio studies" means sales assessment ratio studies performed by the Department of Revenue under G.S. 105-289(h).
- (4) "State adjusted property tax base per student" means the sum of all county adjusted property tax bases divided by the total number of students in average daily membership who reside within the State.
- (5) "Weighted average of the three most recent annual sales assessment ratio studies" means the weighted average of the three most recent annual sales assessment ratio studies in the most recent years for which county current expense appropriations and adjusted property tax valuations are available. If real property in a county has been revalued one year prior to the most recent sales assessment ratio study, a weighted average of the two most recent sales assessment ratios shall be used. If property has been revalued the year of the most recent sales assessment ratio study, the sales assessment ratio for the year of revaluation shall be used.

Requested by: Representatives Payne, Fussell, Barnes, Senators Ward, Warren

-----SUPPLEMENTAL FUNDING

Sec. 201.2. (a) The General Assembly finds that it is appropriate to provide supplemental funds in low-wealth counties to allow those counties to enhance the instructional program and student achievement; therefore, of the funds appropriated to the Department of Public Education, the sum of \$6,000,000 for the 1991-92 fiscal year and the sum of \$6,000,000 for the 1992-93 fiscal year shall be used for supplemental funds for schools. The State Board of Education shall allocate these funds to the counties in which the adjusted property tax base per student for that county is less than the State average adjusted property tax base per student. The amount each such county receives shall be its pro rata share of the funds appropriated for supplemental funding in this act, computed as follows:

- (1) Divide the county adjusted property tax base per student by the State adjusted property tax base per student;
- (2) Multiply the resulting amount by the State average current expense appropriations per student;
- (3) Subtract the resulting amount per student from the State average county current expense appropriations per student; and
- (4) Multiply the resulting amount by the average daily membership of students in the county.

The funds a county receives shall be allocated to each local school administrative unit, located in whole or in part in the county, based on the average daily membership of the county's students in the school units.

This formula is solely a basis for distribution of supplemental funding for low-wealth counties and is not intended to reflect any measure of the adequacy of the educational program or funding for public schools. The formula is also not intended to reflect any commitment by the General Assembly to appropriate any additional supplemental funds for low-wealth counties.

(b) Funds received pursuant to this section shall be used only to provide instructional positions, instructional support positions, teacher assistant positions, clerical positions, and instructional supplies and equipment.

(c) Nonsupplant Requirement. — A county in which a local school administrative unit receives funds under this section shall use the funds to supplement and not supplant existing State and local funding for public schools.

The Local Government Commission shall analyze the budgets and the expenditures of school administrative units that receive funds under this section in light of their budgets and expenditures for the previous year and shall determine whether those funds were used to supplement and not supplant State and local funding for public schools. The Local Government Commission shall report the results of its study to the State Board of Education, to the Joint Legislative Education Oversight Committee, and to the Appropriations Committees of the Senate and the House of Representatives, prior to May 1, 1992, and May 1, 1993.

(d) Definitions. — As used in this act:

- (1) "Average daily membership" means the final average daily membership in the most recent year for which county current expense appropriations and adjusted property tax valuations are available.
- (2) "County adjusted property tax base per student" means the total assessed property valuation for each county, adjusted using a weighted average of the three most recent annual sales assessment ratio studies, divided by the total number of students in average daily membership who reside within the county, and further adjusted using the ratio of the county's per capita income to the State average per capita income.
- (3) "Effective county tax rate" means the actual county tax rate multiplied by a weighted average of the three most recent annual sales assessment ratio studies.
- (4) "Per capita income" means the per capita income according to the most recent report of the United States Department of Commerce, Bureau of Economic Analysis.
- (5) "Sales assessment ratio studies" means sales assessment ratio studies performed by the Department of Revenue under G.S. 105-289(h).
- (6) "State adjusted property tax base per student" means the sum of all county adjusted property tax bases divided by the total number of students who reside within the State.
- (7) "State average current expense appropriations per student" means the most recent State total of county current expense appropriations to public schools, as reported by counties in the annual county financial information report to the State Treasurer, divided by the total State average daily membership for that year.
- (8) "Weighted average of the three most recent annual sales assessment ratio studies" means the weighted average of the three most recent annual sales assessment ratio studies in the most recent years for which county current expense appropriations and adjusted property tax valuations are available. If real property in a county has been revalued one year prior to the most recent sales assessment ratio study, a weighted average of the two most recent sales assessment ratios shall be used. If property has been revalued the year of the most recent sales assessment ratio study, the sales assessment ratio for the year of revaluation shall be used.

(e) Minimum Effort Required. — Counties that receive funding under this section shall maintain an effective county tax rate that is at least one hundred percent (100%) of the State average effective tax in the most recent year for which data are available. Any county that fails to maintain an effective county tax rate that is at least one hundred percent (100%) of the State average effective tax in the most recent year for which data are available shall refund to the State the entire amount of its allocation under this section.

(f) Counties that receive funds under this section shall report to the State Board of Education before March 1 each year on how they are using the funds for the fiscal year. The State Board of Education shall report to the Joint Legislative Education Oversight Committee prior to May 1, 1992, and May 1, 1993, on how the funds are being used.

PART 35.-----DEPARTMENT OF COMMUNITY COLLEGES

Requested by: Representatives Fussell, Payne

-----HOLD HARMLESS/COMMUNITY COLLEGES SERVING MILITARY BASES

Sec. 202. The State Board of Community Colleges may use funds available to it for the 1991-92 fiscal year to allot funds at the 1990-91 budget level to institutions whose enrollments were adversely affected by Operation Desert Storm so that those institutions can serve the returning troops. If the institutions do not need these additional funds to serve returning troops, the additional funds allotted pursuant to this section shall revert at the end of the 1991-92 fiscal year.

Requested by: Representatives Fussell, Payne, Senator Ward

-----COMMUNITY COLLEGE TUITION INCREASE

Sec. 203. The State Board of Community Colleges shall adopt tuition rates beginning in the fall quarter of 1991 in the amount of eleven dollars and fifty cents (\$11.50) per credit hour up to a cap of 14 credit hours for in-State students and one hundred seven dollars and fifty cents (\$107.50) per credit hour with a cap of 14 hours for out-of-State students.

The State Board of Community Colleges shall adopt tuition rates beginning in the fall quarter of 1991 in the amount of thirty dollars (\$30.00) per course for occupational extension courses.

PART 36.-----COLLEGES AND UNIVERSITIES

Requested by: Representatives Payne, Fussell

-----NURSE MIDWIFERY FUNDS

Sec. 204. Of the funds appropriated to the Board of Governors of The University of North Carolina in this Title, \$95,000 for the 1991-92 fiscal year and \$95,000 for the 1992-93 fiscal year shall help fund a nurse midwifery education program at East Carolina University that will help fill the needs of the obstetrically underserved populations of the State. The program shall offer multiple track options for participating nurses; the multiple track options shall take into consideration the varying degrees of preparation. The program shall prepare participants for certification as nurse midwives. In order to maximize the impact of the training program on service provision to obstetrically underserved populations, an advisory committee shall be established and composed of a nurse midwife and a physician providing obstetrical services to a medically underserved population, two members of the Division of Maternal and Child Health, Department of Environment, Health, and Natural Resources, and two members of the Office of Rural Health and Resource Development, Department of Human Resources. This committee shall review all applicants to identify priority candidates who will meet the needs of the State's obstetrically underserved populations for consideration by the midwifery admissions committee. The advisory committee will also facilitate and promote the recruitment of interested nurses who have a commitment to practice in obstetrically underserved areas.

Requested by: Representatives Payne, Fussell, Senator Ward

-----"OTHER" CATEGORY OF HEALTH AFFAIRS STUDENTS FUNDING LIMITS

Sec. 205. The Board of Governors of The University of North Carolina shall not provide any additional enrollment increase funds for growth in the "Other" category for continuing education in the Health Affairs budget code at the University of North Carolina at Chapel Hill until the fees budgeted for this category are increased to cover a greater proportion of the costs per contact hour.

Requested by: Representatives Nesbitt, Diamont, Senator Ward

-----UNC ENROLLMENT/FACULTY

Sec. 206. In its allocation of the funds provided to the Board of Governors of The University of North Carolina for enrollment increases, the Board shall consider the impact of the changes in the student faculty ratio on each campus and shall use up to a maximum of \$500,000 per campus to ensure that no campus has to reduce the number of budgeted teaching positions below the number budgeted for the 1990-91 academic year. This section shall not apply to professional schools with separate budget codes or separate purposes within budget codes.

Requested by: Senator Basnight

-----UNIVERSITY OF NORTH CAROLINA EVENT FEES AUTHORITY

Sec. 206.1. The Chancellor and Board of Trustees of each of the constituent institutions of The University of North Carolina may adopt rules to allow each constituent institution to charge an admission fee of up to one dollar (\$1.00) for any extra-curricular event that takes place in any facility of the institution. Funds generated from these fees shall be used by each institution for books and other materials for the libraries at that institution.

Requested by: Representatives Hackney, Barnes, Payne, Fussell, Senators Basnight, Lee, Ward, Warren

-----UNC FISCAL ACCOUNTABILITY/FLEXIBILITY

Sec. 206.2. (a) Chapter 116 of the General Statutes is amended by adding new sections to read:

"§ 116-44.6. Special responsibility constituent institutions.

The Board of Governors of The University of North Carolina, acting on recommendation made by the President of The University of North Carolina after consultation by him with the State Auditor, may designate one or more constituent institutions of The University as special responsibility constituent institutions. That designation shall be based on an express finding by the Board of Governors that each institution to be so designated has the management staff and internal financial controls that will enable it to administer competently and responsibly all additional management authority and discretion to be delegated to it. The Board of Governors, on recommendation of the President, shall adopt rules prescribing management staffing standards and internal financial controls and safeguards, including the lack of any significant exceptions or audit findings in the annual financial audit by the State Auditor's Office, that must be met by a constituent institution before it may be designated a special responsibility constituent institution and must be maintained in order for it to retain that designation. These rules shall not be designed to prohibit participation by a constituent institution because of its size.

"§ 116-44.7. Appropriations to special responsibility constituent institutions.

All General Fund appropriations made by the General Assembly for continuing operations of a special responsibility constituent institution of The University of North Carolina shall be made in the form of a single sum to each budget code of the institution for each year of the fiscal period for which the appropriations are being made. Notwithstanding G.S. 143-23(a1), each special responsibility constituent institution may expend the General Fund monies so appropriated to it in the manner deemed by the Chancellor to be calculated to maintain and advance the programs and services of the institutions, consistent with the directives and policies of the Board of Governors. The preparation, presentation, and review of General Fund budget requests of special responsibility constituent institutions shall be conducted in the same manner as are requests of other constituent institutions. The quarterly allotment procedure established pursuant to G.S. 143-17 shall apply to the General Fund appropriations made for the current operations of each special responsibility constituent institution. All General Fund monies so appropriated to each special responsibility constituent institution shall be recorded, reported, and audited in the same manner as are General Fund appropriations to other constituent institutions.

"§ 116-44.8. Reversions.

Of the General Fund current operations appropriations credit balance remaining in each budget code of a special responsibility constituent institution at the close of a fiscal year, any amount greater than the percentage of the General Fund appropriations historically reverted to the State treasury over the preceding five fiscal years, multiplied by the General Fund appropriations for that budget code, may be carried forward by the institution to the next fiscal year and may be used for one-time expenditures that will not impose additional financial obligations on the State. However, the amount carried forward under this section shall not exceed two and one-half percent (2 1/2%) of the General Fund appropriation. The historic reversion percentage shall be determined by the Director of the Budget, after making adjustments for allotment reductions made to meet revenue shortfalls and to force credit balances during the preceding five fiscal years under the authority set forth in G.S. 143-25. Any special responsibility constituent institution that does not revert a percentage of the General Fund appropriations for the budget code equal to the five-year historic reversion rate established in this section shall cease to be a special responsibility constituent institution unless the Board of Governors finds that the low reversion rate is due to adverse and unforeseen conditions. In this instance, the Board may allow the institution to remain a special responsibility constituent institution for one year to come into conformity with this section. The Board may make this exception only one time for any special responsibility constituent institution, and shall report these exceptions to the Joint Legislative Commission on Governmental Operations.

"§ 116-44.9. Position management.

The Chancellor of a special responsibility constituent institution, when he finds that to do so would help to maintain and advance the programs and services of the institution, may establish and abolish positions, acting in accordance with:

- (1) State Personnel policies and procedures if these positions are subject to the State Personnel Act and if the institution is operating under the terms of a Performance Agreement or a Decentralization Agreement authorized under Chapter 126 of the General Statutes; or
- (2) Policies and procedures of the Board of Governors if these positions are exempt from the State Personnel Act.

The results achieved by establishing and abolishing positions pursuant to the conditions set forth in subdivision (1) of this section shall be subject to postauditing by the Office of State Personnel. Implementation of personnel actions shall be subject to the availability of funds within the institution's current budget to fund the full annualized costs of these actions.

"§ 116-44.10. Impact on education.

The Board of Governors shall require each special responsibility constituent institution to include in its institutional effectiveness plan those assessment measures that are determined by the Board to be measures that will assure some standard measure of student learning and development in general undergraduate education at the special responsibility constituent institutions. The intent of this requirement is to measure the impact of G.S. 116-44.6 through G.S. 116-44.11, establishing and administering special responsibility constituent institutions, and their implementation on undergraduate student learning and development."

(b) G.S. 143-53.1 reads as rewritten:

"§ 143-53.1. Setting of benchmarks; increase by Secretary.

On and after July 1, 1990, the expenditure benchmark prescribed by G.S. 143-52 with respect to competitive bid procedures and the bid value benchmark authorized by G.S. 143-53(2) with respect to rule making by the Secretary of Administration for competitive bidding shall be ten thousand dollars (\$10,000); provided, the Secretary of Administration may, in his discretion, increase the benchmarks effective as of the beginning of any fiscal biennium of the State commencing after June 30, 1992, in an amount whose increase, expressed as a percentage, does not exceed the rise in the Consumer Price Index during the fiscal biennium next preceding the effective date of

the benchmark increase. For a special responsibility constituent institution of The University of North Carolina, the benchmark prescribed in this section shall be twenty-five thousand dollars (\$25,000) on and after July 1, 1991."

(c) Report of Results. The Board of Governors shall report quarterly on its decisions and directives implementing this section to the Joint Education Oversight Committee. The Board shall report to the 1993 General Assembly by March 31, 1994, on the fiscal savings, management initiatives, increased efficiency and effectiveness, and other outcomes made possible by the flexibility provided by this section to the special responsibility constituent institutions. The report shall include documentation of any reallocation of resources, the use of nonreverted appropriations, and any additional costs incurred. The Board shall require annual reports from the special responsibility constituent institutions, and shall recommend any changes needed in this section to the 1991 General Assembly, Regular Session 1992, or to the 1993 General Assembly.

(d) G.S. 116-37 is amended by inserting a new subsection to read:

"(e) Finances — Patient/Hospital Benefit. — The Executive Director of the University of North Carolina Hospitals at Chapel Hill or the Director's designee, may expend operating budget funds, including State funds, of the University of North Carolina Hospitals at Chapel Hill for the direct benefit of a patient, when, in the judgment of the Executive Director or the Director's designee, the expenditure of these funds would result in a financial benefit to the University of North Carolina Hospitals at Chapel Hill. Any such expenditures are declared to result in the provision of medical services and create charges of the University of North Carolina Hospitals at Chapel Hill for which the hospitals may bill and pursue recovery in the same way as allowed by law for recovery of other hospitals' charges for services that are unpaid.

These expenditures shall be limited to no more than seven thousand five hundred dollars (\$7,500) per patient per admission and shall be restricted (i) to situations in which a patient is financially unable to afford ambulance or other transportation for discharge; (ii) to afford placement in an after-care facility pending approval of third party entitlement benefits; (iii) to assure availability of a bed in an after-care facility after discharge from the hospitals; (iv) to secure equipment or other medically appropriate services after discharge; (v) or to pay health insurance premiums. The Executive Director or the Director's designee shall reevaluate at least once a month the cost-effectiveness of any continuing payment on behalf of a patient.

To the extent that the University of North Carolina Hospitals at Chapel Hill advance anticipated government entitlement benefits for a patient's benefit, for which the patient later receives a lump sum 'backpay' award from an agency of the State, whether for the current admission or subsequent admission, the State agency shall withhold from this backpay an amount equal to the sum advanced on the patient's behalf by the University of North Carolina Hospitals at Chapel Hill, if, prior to the disbursement of the backpay, the applicable State program has received notice from the University of North Carolina Hospitals at Chapel Hill of the advancement."

(e) The Executive Director of the University of North Carolina Hospitals at Chapel Hill shall report annually to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division on the fiscal results of subsection (d) of this section.

(f) This section is effective upon ratification. This section expires June 30, 1994.

Requested by: Senator Daniel

-----UNC EDUCATIONAL CONSORTIA

Sec. 206.3. Of the funds appropriated to the Board of Governors of The University of North Carolina in this Title, \$450,000 in each year of the 1991-93 fiscal biennium shall be allocated by the Board to establish cooperative educational consortia at Western Carolina University, the University of North Carolina at Greensboro, and the University of North Carolina at Wilmington. These consortia shall link

elementary and secondary education, higher education, and leadership in the business sector to:

- (1) Improve education practices and enhance economic development;
- (2) Focus research capabilities on educational issues and economic problems;
- (3) Provide momentum for restructuring of public education to meet the requirements of the modern era;
- (4) Seek grants and other funds for model projects on promising educational practices;
- (5) Provide training, educational, and leadership development opportunities; and
- (6) Provide other initiatives leading to improvements in education and economic development.

PART 37.-----DEPARTMENT OF TRANSPORTATION

Requested by: Representative Nesbitt

-----LEGISLATIVE SERVICES COMMISSION TO PAY FOR CHAIRMEN OF TRANSPORTATION SUBCOMMITTEE OF THE HOUSE APPROPRIATIONS COMMITTEE TO ATTEND HIGHWAY OVERSIGHT COMMITTEE MEETINGS

Sec. 207. The Legislative Services Commission shall pay the costs of the attendance of the Chairmen of the Transportation Subcommittee of the House Appropriations Committee at all meetings of the Joint Legislative Highway Oversight Committee. These subsistence and travel expenses shall be as provided in G.S. 120-3.1.

Requested by: Representative Holt

-----BIENNIAL BILLBOARD REPORT BY DEPARTMENT OF TRANSPORTATION

Sec. 208. The Department of Transportation shall make a biennial report to the General Assembly beginning on January 1, 1993, on its Off-Premise Sign Regulatory Program.

The report shall include:

- (1) The number of off-premise signs (billboards) that conform with State and local regulations and the number of off-premise signs that do not conform with State and local regulations in each county along federal-aid primary highways.
- (2) The number of conforming and nonconforming off-premise signs on State-owned railroad right-of-way.
- (3) The number of nonconforming off-premise signs removed during the fiscal year.
- (4) The number of permitted tree cuttings and the number of illegal tree cuttings in front of off-premise signs.
- (5) Expenses incurred in regulating off-premise signs and receipts from application and renewal permit fees.

Requested by: Representative McLaughlin

-----MAINTENANCE OF STATE HIGHWAY BRIDGES

Sec. 209. G.S. 136-97(b) reads as rewritten:

"(b) The Department of Transportation, as part of maintaining the highways, bridges, and watercourses of this State, shall may haul all debris removed from on, under, or around a bridge to an appropriate disposal site for solid waste, where the debris shall be disposed of in accordance with law. This requirement may be waived when bridge closure has an adverse impact on public safety or creates a significant hardship to the traveling public by restricting all access or necessitating a significant

detour. In these instances, the minimum amount of debris which must be removed to restore service may be passed downstream."

Requested by: Representative McLaughlin

-----DEPARTMENT OF TRANSPORTATION FINANCIAL AND OPERATIONAL AUDIT

Sec. 210. (a) The State Auditor shall conduct a financial and operational audit of two Highway Divisions. The audit shall:

- (1) List the functions performed by the Division offices. Calculate the percentage of time spent on each major category of maintenance and construction work;
- (2) Analyze the equipment used in the Highway Divisions, with an emphasis on the amount of rental equipment utilized;
- (3) Study the staffing levels for construction and maintenance operations. Report on the ratio of workers to supervisors. Review Department of Transportation procedures and criteria for establishing the size of maintenance crews;
- (4) Study whether construction and maintenance activities are being properly charged to appropriate accounts; and
- (5) Determine how maintenance workers are used during cold weather months and periods of inclement weather.

(b) The Fiscal Research Division shall cooperate with and assist the State Auditor in accomplishing this audit.

(c) The audit shall be completed by May 1, 1992.

Requested by: Senator Plyler

-----SECONDARY ROAD PROJECTS

Sec. 210.1. Chapter 136 of the General Statutes is amended by adding a new section to read:

"§ 136-44.2C. Special appropriations for State construction.

Special appropriations for the construction of State highways may be used for the planning, design, right-of-way acquisition, and construction of highway projects for the State Highway System and Federal Aid System, including secondary roads, contained in the Transportation Improvement Program prepared pursuant to G.S. 143B-350(f)(4). Funding from the special appropriations used for secondary road projects in the Transportation Improvement Program is not subject to the allocation formula and restrictions of G.S. 136-44.2, 136-44.2A, or 136-44.5."

Requested by: Senators Basnight, Plyler

-----AIR CARGO AUTHORITY FUNDS

Sec. 210.2. Of the funds appropriated for the 1991-92 fiscal year in this Title from the Highway Fund to the reserve for Air Cargo Authority, \$400,000 shall be transferred to the Department of Economic and Community Development, for the 1991-92 fiscal year, to provide promotion and marketing of the Global Air Cargo Industrial Complex. Funds transferred pursuant to this section shall be used for advertising, travel, and related expenses.

PART 38.-----DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

Requested by: Representatives Redwine, Anderson, Senators Marvin, Odom

-----HIGHWAY PATROL SALARIES

Sec. 211. Notwithstanding G.S. 20-187.83, the salary increase provided by G.S. 20-187.23 is suspended for the 1991-92 fiscal year.

Requested by: Representatives Redwine, Anderson, Jeffus, Senators Marvin, Odom

-----SUMMIT HOUSE

Sec. 211.1. Of the funds appropriated to the Department of Crime Control and Public Safety for the 1991-92 fiscal year, the sum of \$165,000 shall be used to

support the program at Summit House, a community-based residential alternative to incarceration for mothers and pregnant women convicted of nonviolent crimes. Summit House shall report quarterly to the Joint Legislative Commission on Governmental Operations on the expenditure of State appropriations and on the effectiveness of the program, including information on the number of clients served, the number of clients who have their probation revoked, and the number of clients who successfully complete the program while housed at Summit House.

PART 39.-----JUDICIAL DEPARTMENT

Requested by: Representatives Redwine, Anderson, Senator Marvin

-----SALARIES/ASSISTANT AND DEPUTY CLERKS OF SUPERIOR COURT

Sec. 212. Notwithstanding the provisions of G.S. 7A-102(c), assistant clerks and deputy clerks of superior court shall not receive any automatic increment during the 1991-92 fiscal year.

PART 40.-----DEPARTMENT OF HUMAN RESOURCES

Requested by: Representatives Easterling, Nye, Senator Richardson

-----MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES FUNDS

Sec. 213. (a) Of the funds appropriated in this Title to the Department of Human Resources, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, \$6,000,000 for the 1991-92 fiscal year and \$6,000,000 for the 1992-93 fiscal year shall be expended in accordance with the Mental Health Study Commission Plans adopted by the General Assembly, in the following amounts:

- | | |
|--|-------------|
| (1) Services for the mentally ill; | \$1,730,000 |
| (2) Services for the developmentally disabled; | \$1,960,000 |
| (3) Services for substance abusers. | \$2,310,000 |

(b) Of the funds allocated in subsection (a) of this section for Services for the developmentally disabled, \$230,000 shall be transferred in the 1991-92 fiscal year and \$230,000 in the 1992-93 fiscal year to the Department of Environment, Health, and Natural Resources, Division of Maternal and Child Health, for the United Cerebral Palsy therapeutic preschools.

Requested by: Representatives Easterling, Nye, Diamont, Senator Richardson

-----MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES FUNDS/SUBSTANCE ABUSE TREATMENT PROGRAMS FOR PREGNANT WOMEN

Sec. 214. (a) Effective January 1, 1992, of the funds appropriated in this Title to the Department of Human Resources, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, \$400,000 for the 1991-92 fiscal year and \$800,000 for the 1992-93 fiscal year shall be used to set up two regional residential and outpatient treatment programs for pregnant women who abuse drugs or alcohol. These programs shall be operated by public or private nonprofit agencies and shall include case management services, transportation, day care, prevention, residential placement, outpatient services, and money for household start-up costs. Outpatient services shall be located in a public health department, community, migrant or rural health center, hospital, or other agency that provides prenatal care.

(b) Effective July 1, 1991, of the funds appropriated in this Title to the Department of Human Resources, Division of Mental Health, Mental Retardation, and Substance Abuse Services, \$220,000 for the 1991-92 fiscal year and \$220,000 for the 1992-93 fiscal year shall be used to continue support for the residential and outpatient treatment center located in Robeson County.

Requested by: Representatives Nye, Easterling, McLaughlin, Senator Richardson

-----STATE SUBSIDY/COUNTY DETENTION HOME

Sec. 215. (a) G.S. 134A-38 reads as rewritten:

"§ 134A-38. State subsidy to county detention homes.

The Department shall develop a State subsidy program to pay a county detention home which provides regional juvenile detention services and meets State standards a certain ~~portion of its operating cost and its per capita daily cost~~ per diem per child for any child cared for from another county as recommended in said report. In general, this subsidy per diem should be fifty percent (50%) of the operating costs of a county detention home and one hundred percent (100%) of the per capita daily cost total cost of caring for a child from another county; any county placing a child in the county detention home of another county providing regional juvenile detention services or a regional detention home should pay fifty percent (50%) of the per capita daily cost of caring for the child to the Department from within the county and 100 percent (100%) of the total cost of caring for a child from another county. Any county placing a child in a detention home in another county shall pay fifty percent (50%) of the total cost of caring for the child to the Department. The exact funding formulas may be varied by the Department to operate within existing State appropriations or other funds that may be available to pay for juvenile detention care."

(b) Of the funds appropriated to the Department of Human Resources, Division of Youth Services in this Title, \$500,000 for the 1991-92 fiscal year and \$500,000 for the 1992-93 fiscal year shall be used to implement this section.

Requested by: Representatives Easterling, Nye, Diamont, Senator Richardson
 -----COUNTY PROTECTIVE SERVICES ALLOCATION

Sec. 216. Of the funds appropriated to the Department of Human Resources, Division of Social Services, in this Title, \$3,250,000 for the 1991-92 fiscal year and \$7,000,000 for the 1992-93 fiscal year shall be allocated to county departments of social services beginning January 1, 1992, according to the following formula:

- (1) All county departments shall receive a base allocation of \$10,000 for the 1991-92 fiscal year and \$10,000 for the 1992-93 fiscal year.
- (2) The balance of the funds each year of the fiscal biennium shall be allocated to each county department based upon the percentage of the number of child abuse and neglect reports in that county compared to the total number of reports of child abuse and neglect statewide. These percentages shall be computed from the reports received by the Division of Social Services' Central Registry of Abuse and Neglect for the last two fiscal years.

Funds allocated to county departments of social services pursuant to this subsection shall be used to provide additional staff to carry out investigations of reports of child abuse or neglect or to provide protective or preventive services in cases in which the department confirms neglect, abuse, or dependency. However, if a county demonstrates to the Division of Social Services that it has adequate protective services staff, that county department may use these allocated funds to purchase or provide treatment or other support services to children and their families in confirmed cases of child abuse, neglect, or dependency. All expenditures made by any county department of social services from funds allocated pursuant to this subsection shall be in direct support of the department's program of protective services for children. These funds shall not be used to supplant any Social Services Block Grant funds or county appropriations budgeted for protective services for children.

The Department of Human Resources, Division of Social Services, shall establish guidelines and criteria to assure that the allocations to county departments of social services pursuant to this subsection are used in accordance with the intent and purpose of this subsection.

The Division of Social Services shall prepare a report on the progress achieved in improving child protective services throughout the State. The report shall include an analysis of county staffing patterns, future county staffing and funding requirements needed to meet the Division's recommended guidelines, and analysis of the

barriers to recruitment and retention of county child protective services staff, and a summary of the Division's progress in implementing improvements to the State's training and oversight responsibilities. The Division shall present this report to the 1991 General Assembly, to the Fiscal Research Division, and to the North Carolina Child Fatality Task Force established pursuant to Article 62 of Chapter 143 of the General Statutes by March 15, 1992.

Requested by: Representatives Nye, Easterling, Senator Richardson

-----DEPARTMENT OF HUMAN RESOURCES PHARMACY STUDY

Sec. 218. The Department of Human Resources shall contract for a survey study to determine the cost of filling a prescription in North Carolina. The Department shall consider the impact of refills on the dispensing fee and any other issues it considers necessary and shall implement appropriate adjustments to the pharmacy dispensing fee in the State Medicaid Plan based on the outcome of the study if the Department identifies funds available to it sufficient for the implementation. The Department shall include in its adjustments the adjustment of the fee annually to reflect appropriate inflationary increases as established in nationally recognized pricing indexes.

Requested by: Representatives Nye, Easterling, Senator Richardson

-----PHARMACY DISPENSING FEE INCREASE

Sec. 219. Effective January 1, 1992, the professional limits fee for dispensing drugs shall be \$5.60 per prescription, adjusted in accordance with subdivision (5) of Section 93, Title 1, of this act.

Requested by: Representatives Diamont, Nye, Easterling, Senator Richardson

-----PURCHASE TRANSPORTATION SERVICES FOR PREGNANT WOMEN AND CHILDREN ON MEDICAID

Sec. 220. (a) Of the funds appropriated from the General Fund to the Department of Human Resources, in this Title, \$300,000 for the 1991-92 fiscal year and \$300,000 for the 1992-93 fiscal year shall be transferred to the Department of Transportation, Public Transportation Division, to purchase transportation services for pregnant women and children on Medicaid. All funds distributed by the Department, under this section, to counties are intended to purchase additional transportation services and not to supplant funds now being used by local governments for that purpose. These funds are not to be used towards the purchase of transportation vehicles or equipment, and may not be used to cover State administrative costs. Only those counties maintaining Medicaid transportation services to pregnant women and children at a level that is not reduced from the level of services in place during the 1989-90 fiscal year shall be eligible for additional transportation assistance funds.

(b) The Public Transportation Division of the Department of Transportation shall distribute these funds to the counties according to the following formula:

- (1) Fifty percent (50%) divided equally among all eligible counties;
- (2) Forty-five percent (45%) on the basis of the number of pregnant women and children receiving Medicaid in the county as a percentage of the total number of pregnant women and children receiving Medicaid statewide; and
- (3) Five percent (5%) based upon a population density factor that recognizes the higher transportation costs in sparsely populated counties.

The Department of Transportation shall develop appropriate procedures for the distribution and use of these funds and shall adopt rules to implement these procedures.

(c) Funds distributed by the Department of Transportation under this section shall be used by counties in a manner consistent with implemented transportation development plans which have been approved by the Department of Transportation and the board of county commissioners. To receive funds apportioned for a given fiscal year, a county shall have an approved transportation plan. Funds that are not obligated in a given fiscal year due to the lack of an approved transportation plan shall be distributed to the eligible counties based on the distribution formula in subsection (b) of this section.

(d) The Department of Transportation shall report to the Joint Legislative Commission on Governmental Operations by March 15, 1992, on the amount of money that has been received and spent by each county pursuant to this section and the new transportation services provided in each county to pregnant women and children receiving Medicaid pursuant to this section.

Requested by: Representatives Nye, Easterling, Senator Richardson

-----DOMICILIARY RATE INCREASE/EXPANSION

Sec. 221. Section 127 of Title 1 of this act reads as rewritten:

"-----DOMICILIARY RATE INCREASE

Sec. 127. Effective July 1, 1991, the maximum monthly rate for ambulatory residents in domiciliary care facilities shall be ~~\$766.00~~ \$832.00 and the maximum monthly rate for semiambulatory residents shall be ~~\$803.00~~ \$871.00. Effective July 1, 1992, the maximum monthly rates for ambulatory residents shall be increased to ~~\$777.00~~ \$843.00 and for semiambulatory residents to ~~\$814.00~~ \$882.00."

Requested by: Representatives Nesbitt, Diamont, Nye, Easterling, Senators Basnight, Plyler, Richardson

-----WAKE COUNTY DETENTION FACILITY ALLOCATION

Sec. 221.1. Of the funds appropriated from the General Fund to the Department of Human Resources, Division of Youth Services, the sum of \$400,000 for the 1991-92 fiscal year and the sum of \$400,000 for the 1992-93 fiscal year shall be used for the operation of the Wake County Detention facility as a regional detention facility.

Requested by: Representatives Easterling, Nye, Diamont, Senators Richardson, Basnight, Plyler

-----REDUCE INFANT MORTALITY

Sec. 221.2. (a) Effective October 1, 1991, the Department of Human Resources, Division of Medical Assistance, shall provide medical coverage for nutritional counselling, psycho-social counselling, and predelivery and post partum home visits by maternity care coordinators and public health nurses, for Medicaid-eligible pregnant women.

(b) Of the funds appropriated in this Title to the Department of Human Resources, Division of Medical Assistance, the sum of \$356,648 for the 1991-92 fiscal year and the sum of \$499,310 for the 1992-93 fiscal year shall be used to provide the State share of the increased coverage for services mandated by this section.

Requested by: Representatives Nye, Easterling, Senators Richardson, Basnight, Plyler

-----CHILD SUPPORT FUNDS

Sec. 221.3. (a) Notwithstanding G.S. 114-2.1, the State may enter into a consent judgment in the case of Cassell, et al. v. Flaherty, et al., C-C-90-0010-M, United States District Court for the Western District of North Carolina, Charlotte Division.

(b) The consent judgment authorized under subsection (a) of this section is subject to G.S. 114-2.2.

(c) In the event a consent agreement is reached, funds appropriated to enable the Child Support Enforcement Section, Division of Social Services, Department of Human Resources to distribute child support collections based upon the date the payment is withheld from an obligor's disposable income may be used to implement that consent judgment. Implementation costs may include:

- (1) Quarterly notices to clients;
- (2) Toll-free telephone number;
- (3) Four Account Technician II positions;
- (4) System enhancements; and
- (5) Court-ordered costs.

(d) The Office of State Budget and Management and the Department of Human Resources shall provide quarterly reports on expenditures authorized under this

section to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division.

(e) The Office of State Budget and Management and the Department of Human Resources shall report annually on expenditures and progress in achieving necessary improvements in the distribution of child support collection. Reports shall be submitted to the Governor, the Joint Legislative Commission on Governmental Operations, and the Fiscal Research Division not later than May 1, 1992, and annually thereafter.

(f) Funds appropriated to the Department of Human Resources in this Title for covering expenses incurred as a result of the Cassell, et al. v. Flaherty, et al. lawsuit shall be deposited in a nonreverting fund account in the Department of Human Resources, Division of Social Services, that the Department shall establish for this purpose. Any unexpended and unencumbered funds remaining in the nonreverting account on July 1, 1995, shall revert to the General Fund on that date. If the State has not entered into a consent judgment as authorized under this section by September 1, 1991, then this section shall expire on September 1, 1991, and all funds appropriated in this act for this purpose shall revert to the General Fund.

Requested by: Senators Plyler, Walker

-----HIGHWAY VENDING PROFITS/MEDICAL EYE CARE

Sec. 221.4. (a) G.S. 111-43 reads as rewritten:

"§ 111-43. Installation of coin-operated vending machines.

In locations where the Department determines that a vending facility may not be operated or should not continue to operate due to insufficient revenues, the Department shall have the first opportunity to secure, by negotiation of a contract with one or more licensed commercial vendors, coin-operated vending machines for the location. Profits from coin-operated vending machines secured by the Department shall be used by the Department for the support of vending facilities operated by the visually ~~handicapped~~ handicapped, except for up to \$300,000 of the highway vending profits each fiscal year that may be used to support the Medical Eye Care Program and to provide needed technological equipment and related activities within the Division."

(b) This section expires June 30, 1992.

PART 41.-----DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

Requested by: Representatives Nesbitt, Diamont, Senator Basnight

-----VISITOR AND WELCOME CENTER FUNDS

Sec. 222. (a) Before any other transfers are made pursuant to G.S. 20-81.3(c) or 20-81.3(g), the Secretary of Transportation shall allocate from the "Personalized Registration Plate Fund" \$150,000 for the 1991-92 fiscal year and \$150,000 for the 1992-93 fiscal year for personnel to staff Visitor and Welcome Centers as follows:

- (1) \$50,000 for the 1991-92 fiscal year and \$50,000 for the 1992-93 fiscal year to the Albemarle Regional Planning and Development Office in the Town of Hertford for the Visitor and Welcome Center on U.S. Highway 17 in Camden County;
- (2) \$50,000 for the 1991-92 fiscal year and \$50,000 for the 1992-93 fiscal year to the Southeastern Welcome Center, Inc., for the Visitor and Welcome Center on U.S. Highway 17 South in Brunswick County;
- (3) \$25,000 for the 1991-92 fiscal year and \$25,000 for the 1992-93 fiscal year to Smoky Mountain Hosts of North Carolina, Inc., for the Visitor and Welcome Center on U.S. Highway 441 in Macon County; and
- (4) \$25,000 for the 1991-92 fiscal year and \$25,000 for the 1992-93 fiscal year to the North Carolina High Country Host, Inc., for personnel to staff the Visitor and Welcome Center in the Town of Boone, Watauga County.

(b) If the Visitor and Welcome Center in Brunswick County is under construction as of the effective date of this act, the Board of Transportation shall ensure that

construction of the Center is completed by September 1, 1991. The Secretary of Transportation shall implement the allocations required under this section as expeditiously as possible, and shall take no adverse action against any of the above named centers for having received State funds pursuant to an act of the General Assembly.

(c) This section expires June 30, 1993.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt

-----PETROLEUM OVERCHARGE FUNDS ALLOCATION

Sec. 223. (a) The funds and interest thereon received from the case of United States v. Exxon are deposited in the Special Reserve for Oil Overcharge Funds. There is appropriated from the Special Reserve to the Department of Economic and Community Development the sum of \$10,900,000 for the 1991-92 fiscal year and the sum of \$6,001,511 for the 1992-93 fiscal year to be allocated as follows:

- (1) \$2,200,000 for the 1991-92 fiscal year and \$1,200,302 for the 1992-93 fiscal year shall be used for projects under the State Energy Conservation Plan and Energy Extension Service Program;
- (2) \$2,500,000 for the 1991-92 fiscal year and \$1,380,348 for the 1992-93 fiscal year shall be used for energy conservation programs for hospitals and schools;
- (3) \$3,200,000 for the 1991-92 fiscal year and \$1,740,438 for the 1992-93 fiscal year shall be used for the Low Income Weatherization Program;
- (4) \$3,000,000 for the 1991-92 fiscal year and \$1,680,423 for the 1992-93 fiscal year shall be used for the Low Income Home Energy Assistance Program (LIHEAP).

(b) There is appropriated from the funds and interest thereon received from the United States Department of Energy's Stripper Well Litigation (MDL378) which remain in the Special Reserve for Oil Overcharge Funds to the Department of Economic and Community Development the sum of \$4,898,489 for the 1992-93 fiscal year to be allocated as follows:

- (1) \$999,698 shall be used for projects under the State Energy Conservation Plan and Energy Extension Service Program;
- (2) \$1,119,652 shall be used for energy conservation programs for hospitals and schools;
- (3) \$1,459,562 shall be used for the Low Income Weatherization Program; and
- (4) \$1,319,577 shall be used for the Low Income Home Energy Assistance Program (LIHEAP).

(c) Any funds remaining in the Special Reserve for Oil Overcharge Funds after the allocations made pursuant to subsections (a) and (b) of this section may be expended only as authorized by the General Assembly. All interest or income accruing from all deposits or investments of cash balances shall be credited to the Special Reserve for Oil Overcharge Funds.

(d) The funds and interest thereon received from the Diamond Shamrock Settlement which remain in a reserve in the Office of State Budget and Management for the Division of Energy to administer the petroleum overcharge funds pursuant to Section 112 of Chapter 830 of the 1987 Session Laws shall continue to be available to the Division of Energy in the Department of Economic and Community Development on an as-needed basis.

(e) The Department of Economic and Community Development shall submit comprehensive annual reports to the General Assembly by May 15, 1992, and January 31, 1993, which detail the use of all petroleum overcharge funds. Any State department or agency that has received petroleum overcharge funds shall provide all information requested by the Department of Economic and Community Development for the purpose of preparing these reports.

Requested by: Representatives Ethridge, H. Hunter

-----ECONOMIC DEVELOPMENT FUNDS

Sec. 224. (a) Of the funds appropriated in this Title to the North Carolina Rural Economic Development Center, Inc., \$1,400,000 for the 1991-92 fiscal year, shall be allocated to local community development corporations. These funds shall be used to support community economic development projects and activities within the State's minority community.

Of these funds, \$1,050,000 shall be used for direct grants to the 17 local community development corporations that have previously received State funds for this purpose to support operations and project activities, \$150,000 shall be used for direct grants to community development corporations that have not previously received State funds for this purpose, \$50,000 shall be used for the Community Development Housing Counselling Demonstration Project, and \$150,000 shall be used for the North Carolina Association of Community Development Corporations and shall be matched on the basis of one dollar of non-State funds for every one dollar of State funds. The Association shall not use these funds for administrative expenses, including salaries. If these matching funds are not matched before the end of the 1991-92 fiscal year, they shall be used during the 1992-93 fiscal year for direct grants to local community development corporations. If funds allocated under this paragraph for direct grants to Community Development Corporations that have not previously received State funds have not been committed for direct grants by the Rural Economic Development Center by March 31, 1992, then such uncommitted funds shall be used for direct grants to Community Development Corporations that have previously received State funds.

The North Carolina Rural Economic Development Center, Inc., shall report quarterly to the Joint Legislative Commission on Governmental Operations on the use of the funds allocated in this subsection.

For purposes of this subsection, the term "community development corporation" means a nonprofit corporation, chartered pursuant to Chapter 55A of the General Statutes and tax-exempt pursuant to section 501(c)(3) of the Internal Revenue Code, whose primary mission is to develop and improve low-income communities and neighborhoods through economic and related development, whose activities and decisions are initiated, managed, and controlled by their constituencies, and whose primary function is to act as deal maker and packager of projects and activities that will increase their constituencies' opportunities to become owners, managers, and producers.

(b) Of the funds appropriated in this Title to the Office of State Budget and Management, \$300,000 for the 1991-92 fiscal year shall be allocated for Land Loss Prevention Project, Inc., to provide free legal representation to low-income financially distressed small farmers. The Land Loss Prevention Project, Inc., shall not use these funds to represent farmers who have income and assets that would make them financially ineligible for legal services pursuant to Title 45, Part 1611 of the Code of Federal Regulations. The Land Loss Prevention Project, Inc., shall report quarterly to the Joint Legislative Commission on Governmental Operations on the use of these funds.

(c) Of the funds appropriated in this Title to the Office of State Budget and Management, \$250,000 for the 1991-92 fiscal year shall be allocated for the North Carolina Coalition of Farm and Rural Families, Inc., for its Small Farm Economic Development Project. These funds shall be used to foster economic development within the State's rural farm communities by offering financial, marketing, and technical assistance to small and limited resource farmers. The North Carolina Coalition of Farm and Rural Families, Inc., shall report quarterly to the Joint Legislative Commission on Governmental Operations on the use of these funds.

(d) Of the funds appropriated in this Title to the Office of State Budget and Management, \$200,000 for the 1991-92 fiscal year shall be allocated to the North Carolina Institute for Minority Economic Development, Inc., to foster minority economic development within the State through policy analysis, information and technical assistance, and resource expansion. The North Carolina Institute for Minority Economic Development, Inc., shall research and identify key issues affecting the

economic well-being of the State's ethnic minority community and issue annual reports with appropriate recommendations; provide information and technical assistance to organizations with minority economic development-based projects in common areas of need and interests; develop a resource bank of data and information to strengthen minority economic development initiatives; and facilitate training in appropriate areas of need. The North Carolina Institute for Minority Economic Development, Inc., shall report quarterly to the Joint Legislative Commission on Governmental Operations on the use of these funds.

(e) Of the funds appropriated in this Title to the North Carolina Rural Economic Development Center, Inc., \$1,000,000 for the 1991-92 fiscal year shall be allocated to local minority-owned and operated credit unions and to the North Carolina Minority Credit Union Support Center, Inc. These funds shall be used to foster minority economic development within the State by increasing the lending capacity of minority-owned and operated credit unions. Ninety percent (90%) of these funds shall be allocated to local minority-owned and operated credit unions for capitalization of economic development and housing loans, and ten percent (10%) of these funds shall be allocated to the North Carolina Minority Credit Union Support Center, Inc., for operational and administrative support. The North Carolina Rural Economic Development Center, Inc., shall report quarterly to the Joint Legislative Commission on Governmental Operations on the use of these funds.

(f) Of the funds appropriated in this Title to the North Carolina Rural Economic Development Center, Inc., \$650,000 for the 1991-92 fiscal year shall be used to expand the Microenterprise Loan Program. Of these funds, no less than \$400,000 shall be used as loan loss reserves and no more than \$250,000 shall be used to cover operational costs. These funds are to be matched on the basis of two dollars of non-State funds for every one dollar of State funds. The North Carolina Rural Economic Development Center, Inc., shall report quarterly to the Joint Legislative Commission on Governmental Operations on the use of these funds.

(g) Of the funds appropriated in this Title to the North Carolina Rural Economic Development Center, Inc., \$50,000 for the 1991-92 fiscal year shall be used for its expenses in administering this section. The Office of State Budget and Management shall allot the funds pursuant to subsections (e) and (f) of this section in increments of not less than \$200,000 and not more than \$325,000 within 30 working days of the receipt of the Center's request for the funds. Requests shall include a commitment of any required matching funds from non-State funds. The North Carolina Rural Economic Development Center, Inc., shall distribute the funds pursuant to subsections (e) and (f) of this section immediately upon allotment by the Office of State Budget and Management.

(h) The Rural Economic Development Center, Inc., shall not distribute funds under subsections (a), (e), and (f) of this section unless and until the entities eligible for funds under those subsections have met the requirements of G.S. 143-6.1.

Requested by: Representatives Ethridge, H. Hunter, DeVane, Senator Martin of Pitt

-----HOME PROGRAM FUNDING LIMIT

Sec. 225. The Department of Economic and Community Development shall not spend any funds appropriated in this Title for the State administration of the federal HOME Program until Congress appropriates federal funds for the Program.

PART 42.-----DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt

-----EHNH USE OF FEES

Sec. 226. (a) If the revenues received pursuant to G.S. 113A-119.1 exceed the amount in anticipated revenues from this source for the 1991-92 fiscal year or for the 1992-93 fiscal year, then the Department of Environment, Health, and Natural Resources may use up to \$30,000 of this revenue for the 1991-92 fiscal year and up to

\$50,000 of this revenue for the 1992-93 fiscal year for permitting, education, and compliance activities, including salaries and necessary support, in the Division of Coastal Management. These funds are in addition to any other funds appropriated for this purpose.

(b) If the revenues received pursuant to G.S. 113A-54.2 exceed the amount in anticipated revenues from this source for the 1991-92 fiscal year or the 1992-93 fiscal year, then the Department of Environment, Health, and Natural Resources may use up to \$140,000 of this revenue for the 1991-92 fiscal year and up to \$160,000 of this revenue for the 1992-93 fiscal year for education, erosion control plan approval, and compliance activities in the Sedimentation Control Program, including salaries and necessary support, in the Division of Land Resources. These funds are in addition to any other funds appropriated for this purpose.

(c) If the revenues received pursuant to G.S. 143-215.28A exceed the amount in anticipated revenues from this source for the 1991-92 fiscal year or the 1992-93 fiscal year, then the Department of Environment, Health, and Natural Resources may use up to \$20,000 of this revenue for the 1991-92 fiscal year and up to \$20,000 of this revenue for the 1992-93 fiscal year for permitting, education, and compliance activities in the Dam Safety Program, including salaries and necessary support, in the Division of Land Resources. These funds are in addition to any other funds appropriated for this purpose.

(d) If the revenues received pursuant to G.S. 143B-290 exceed the amount in anticipated revenues from this source for the 1991-92 fiscal year or for the 1992-93 fiscal year, then the Department of Environment, Health, and Natural Resources may use up to \$40,000 of this revenue for the 1991-92 fiscal year and up to \$70,000 of this revenue for the 1992-93 fiscal year for permitting, education, and compliance activities in the Mining Program, including salaries and necessary support, in the Division of Land Resources. These funds are in addition to any other funds appropriated for this purpose.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt
-----COMMUNITY WATER SYSTEMS PERMITS FEES

Sec. 227. There is appropriated from the General Fund to the Department of Environment, Health, and Natural Resources the sum of \$258,938 for the 1991-92 fiscal year and the sum of \$621,450 for the 1992-93 fiscal year to support the public water systems program; provided, however, if the revenues raised from Chapter 576 of the 1991 Session Laws are less than \$258,938 for the 1991-92 fiscal year or are less than \$621,450 for the 1992-93 fiscal year, then the appropriation is reduced accordingly.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt
-----CLEAN AIR ACT PERMIT FEES

Sec. 228. There is appropriated from the Title V nonreverting account established in G.S. 143-215.3A to the Department of Environment, Health, and Natural Resources the sum of \$999,855 for the 1991-92 fiscal year and the sum of \$3,992,390 for the 1992-93 fiscal year to be used for the development and implementation of the Title V program in accordance with G.S. 143-215.3A; provided, however, if the revenues raised from Chapter 552 of the 1991 Session Laws are less than \$999,855 for the 1991-92 fiscal year or are less than \$3,992,390 for the 1992-93 fiscal year, then the appropriation is reduced accordingly.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt
-----HAZARDOUS WASTE INSPECTORS

Sec. 229. As industry is permitted that is subject to G.S. 130A-295.02 requiring the establishment of resident inspectors, the Department of Environment, Health, and Natural Resources may request through the Office of State Budget and Management the authorization to establish new positions and support costs necessary to comply with G.S. 130A-295.02. The Department shall report these positions as a continuation item in its next biennial budget request.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt

-----VITAL RECORDS FEES

Sec. 230. There is appropriated from the Vital Records Automation Fund established under G.S. 130A-93.1 to the Department of Environment, Health, and Natural Resources the sum of \$800,000 for the 1991-92 fiscal year and the sum of \$800,000 for the 1992-93 fiscal year, for defraying the cost of automating the vital records system; provided, however, if the revenues raised from Chapter 343 of the 1991 Session Laws are less than \$800,000 for the 1991-92 fiscal year or are less than \$800,000 for the 1992-93 fiscal year, then the appropriation is reduced accordingly.

Requested by: Representatives Ethridge, H. Hunter, Senator Martin of Pitt

-----ASBESTOSIS/SILICOSIS EXAMS FEES

Sec. 231. There is appropriated from the General Fund to the Department of Environment, Health, and Natural Resources the sum of \$112,124 for the 1991-92 fiscal year and the sum of \$119,479 for the 1992-93 fiscal year for defraying the cost of examinations for screening for asbestosis or silicosis conducted by the Department; provided, however, if the revenues raised from Chapter 481 of the 1991 Session Laws are less than \$112,124 for the 1991-92 fiscal year or are less than \$119,479 for the 1992-93 fiscal year, then the appropriation is reduced accordingly.

Requested by: Representatives Ethridge, H. Hunter, DeVane, Diamont, Senator Martin of Pitt

-----RURAL OBSTETRICAL CARE INCENTIVE PROGRAM

Sec. 232. Of the funds appropriated in this Title from the General Fund to the Department of Environment, Health, and Natural Resources, Division of Maternal and Child Health, the sum of \$300,000 for the 1991-92 fiscal year and the sum of \$300,000 for the 1992-93 fiscal year shall be used to expand the Rural Obstetrical Care Incentive Program established under Section 39.3 of Chapter 1100, 1987 Session Laws, Regular Session 1988. The Rural Obstetrical Care Incentive Program will be used to assist with the cost of malpractice insurance for family physicians, obstetricians, and certified nurse midwives who agree to provide prenatal and obstetrical services in medically underserved areas of the State. General surgeons who provide cesarean section backup to family physicians in counties where there are no obstetricians or where there are no obstetricians willing or able to provide such backup are also eligible for the program. Physicians and certified nurse midwives covered under the Rural Obstetrical Care Incentive Program are required to participate in an obstetrical care coverage plan developed by their local health department or community, migrant, or rural health center, and must agree to provide services to pregnant women regardless of their ability to pay for the services.

Requested by: Representatives Ethridge, H. Hunter, DeVane, Diamont, Senator Martin of Pitt

-----NORTH CAROLINA CHILD FATALITY PREVENTION

Sec. 233. (a) Chapter 143 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 62."

North Carolina Child Fatality Review Team: North Carolina
Child Fatality Task Force and Study.

"§ 143-571. Declaration of public policy.

The General Assembly finds that it is the public policy of this State to prevent child deaths. The General Assembly further finds that the prevention of child deaths is a community responsibility; that professionals from disparate disciplines have responsibilities for children and have expertise that can promote child safety and well-being; and that multidisciplinary reviews of child deaths can lead to a greater understanding of the causes and methods of preventing these deaths. It is, therefore, the intent of the General Assembly, through this Article, to establish a multidisciplinary task force to study the incidence and causes of child deaths and to develop a mechanism for multidisciplinary child death reviews. It is further the intent of the General

Assembly that the task force, based upon its study and its expertise, make recommendations to the General Assembly and the Governor for changes to law, rule, and policy that will support the safe and healthy development of our children. It is also the intent of the General Assembly to establish a State Child Fatality Review Team to review certain child deaths.

"§ 143-572. Definitions.

The following definitions apply in this Article:

- (1) Local team. A local multidisciplinary child abuse and neglect review team established for a county.
- (2) State Team. The North Carolina Child Fatality Review Team.
- (3) Task Force. The North Carolina Child Fatality Task Force.

"§ 143-573. Task Force - creation; membership; vacancies.

(a) There is created the North Carolina Child Fatality Task Force within the Department of Environment, Health, and Natural Resources for budgetary purposes only.

(b) The Task Force shall be composed of 25 members, 12 of whom shall be ex officio members, three of whom shall be appointed by the Governor, and eight of whom shall be appointed by the General Assembly, four upon recommendation of the Speaker of the House of Representatives and four upon recommendation of the President Pro Tempore of the Senate. The ex officio members other than the Chief Medical Examiner may designate representatives from their particular departments, divisions, or offices to represent them on the Task Force. The members shall be as follows:

- (1) The Chief Medical Examiner;
- (2) The Attorney General;
- (3) The Director of the Division of Social Services;
- (4) The Director of the State Bureau of Investigation;
- (5) The Director of the Division of Maternal and Child Health of the Department of Environment, Health, and Natural Resources;
- (6) The Director of the Governor's Youth Advocacy and Involvement Office;
- (7) The Superintendent of Public Instruction;
- (8) The President of the State Board of Education;
- (9) The Director of the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services;
- (10) The Secretary of the Department of Human Resources;
- (11) The Secretary of the Department of Environment, Health, and Natural Resources;
- (11.1) The Director of the Administrative Office of the Courts;
- (12) A director of a county department of social services appointed by the Governor upon recommendation of the President of the North Carolina Association of County Directors of Social Services;
- (13) A representative from a Sudden Infant Death Syndrome counseling and education program appointed by the Governor upon recommendation of the Director of the Division of Maternal and Child Health of the Department of Environment, Health, and Natural Resources;
- (14) A representative from the North Carolina Child Advocacy Institute appointed by the Governor upon recommendation of the President of the Institute;
- (15) A representative from a private group, other than the North Carolina Child Advocacy Institute, that advocates for children, appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives upon recommendation of private child advocacy organizations;
- (16) A pediatrician, licensed to practice medicine in North Carolina, appointed by the General Assembly upon recommendation of the Speaker

of the House of Representatives upon recommendation of the North Carolina Pediatric Society:

- (17) A representative from the North Carolina League of Municipalities appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives upon recommendation of the League;
- (18) Two public members appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives;
- (19) A county or municipal law enforcement officer appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate upon recommendation of organizations that represent local law enforcement officers;
- (20) A district attorney appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate upon recommendation of the President of the North Carolina Conference of District Attorneys;
- (21) A representative from the North Carolina Association of County Commissioners appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate upon recommendation of the Association; and
- (22) Two public members appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate;

(c) All members of the Task Force are voting members. Vacancies in the appointed membership shall be filled by the appointing officer who made the initial appointment. The Speaker of the House of Representatives shall call the first meeting no later than October 1, 1991. At the first meeting the members shall elect a chair who shall preside for the duration of the Task Force.

"§ 143-574. Task Force - duties.

The Task Force shall:

- (1) Undertake a statistical study of the incidence and causes of child deaths in this State during 1988 and 1989, and establish a profile of child deaths. The study shall include (i) an analysis of all community and private and public agency involvement with the decedents and their families prior to death, and (ii) an analysis of child deaths by age, cause, and geographic distribution;
- (2) Develop a system for multidisciplinary review of child deaths. In developing such a system, the Task Force shall study the operation of existing local teams. The Task Force shall also consider the feasibility and desirability of local or regional review teams and, should it determine such teams to be feasible and desirable, develop guidelines for the operation of the teams. The Task Force shall also examine the laws, rules, and policies relating to confidentiality of and access to information that affect those agencies with responsibilities for children, including State and local health, mental health, social services, education, and law enforcement agencies, to determine whether those laws, rules, and policies inappropriately impede the exchange of information necessary to protect children from preventable deaths, and, if so, recommend changes to them;
- (3) Receive and consider reports from the State Team; and
- (4) Perform any other studies, evaluations, or determinations the Task Force considers necessary to carry out its mandate.

"§ 143-575. State Team - creation; membership; vacancies.

(a) There is created the North Carolina Child Fatality Review Team within the Department of Environment, Health, and Natural Resources for budgetary purposes only.

(b) The State Team shall be composed of nine members of whom eight members are ex officio and one is appointed. The ex officio members other than the Chief

Medical Examiner may designate a representative from their departments, divisions, or offices to represent them on the State Team.

- (1) The Chief Medical Examiner, who shall chair the State Team;
- (2) The Attorney General;
- (3) The Director of the Division of Social Services;
- (4) The Director of the State Bureau of Investigation;
- (5) The Director of the Maternal and Child Health Division of the Department of Environment, Health, and Natural Resources;
- (6) The Superintendent of Public Instruction;
- (7) The Director of the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services; and
- (7.1) The Director of the Administrative Office of the Courts;
- (8) The pediatrician appointed pursuant to G.S. 143-573(b)(16) to the Task Force.

(c) All members of the State Team are voting members. Vacancies in the appointed membership shall be filled by the appointing officer who made the initial appointment.

"§ 143-576. State Team - duties.

The State Team shall:

- (1) Review current deaths of children when those deaths are attributed to child abuse or neglect or when the decedent was reported as an abused or neglected juvenile pursuant to G.S. 7A-543 at any time before death; and
- (2) Report to the Task Force during the existence of the Task Force, in the format and at the time required by the Task Force, on the State Team's activities and its recommendations for changes to any law, rule, and policy that would promote the safety and well-being of children; and
- (3) Upon request of a local team, provide technical assistance to the team.

"§ 143-577. Task Force - reports.

(a) The Task Force shall provide a preliminary report to the Governor and General Assembly, within the first week of the convening of the 1992 Session of the 1991 General Assembly. This preliminary report shall contain at least a summary of preliminary conclusions and recommendations for each of the Task Force's duties, as well as any other recommendations for changes to any law, rule, and policy that it has determined will promote the safety and well-being of children. Any recommendations of changes to law, rule, or policy shall be accompanied by specific legislative or policy proposals and detailed fiscal notes setting forth the costs to the State.

(b) The Task Force shall provide a final report to the Governor and General Assembly within the first week of the convening of the 1993 General Assembly. The final report shall include final conclusions and recommendations for each of the Task Force's duties, as well as any other recommendations for changes to any law, rule, and policy that it has determined will promote the safety and well-being of children. Any recommendations of changes to law, rule, or policy shall be accompanied by specific legislative or policy proposals and detailed fiscal notes setting forth the costs to the State.

(c) After the Task Force provides its final report to the Governor and General Assembly, the Task Force shall cease to be in existence.

"§ 143-578. Access to records.

The Task Force and State Team shall have access to all medical records, hospital records, and records maintained by this State, any county, or any local agency as necessary to carry out the purposes of this Article, including police investigations data, medical examiner investigative data, health records, mental health records, and social services records. Task Force and State Team meetings are not subject to the provisions of Article 33C of Chapter 143 of the General Statutes. All otherwise confidential information and records acquired by the Task Force or State Team in the exercise of their duties are confidential; are not subject to discovery or introduction into evidence in any proceedings; and may only be disclosed as necessary to carry out

the purposes of the Task Force. No member of the Task Force, State Team, or person who attends such a meeting may testify in any proceeding about what transpired at the meeting, about information presented at the meeting, or about opinions formed by the person as a result of the meetings. This section does not, however, prohibit a person from testifying in a civil or criminal action about matters within that person's independent knowledge.

"§ 143-579. Administration; funding.

(a) To the extent of funds available, the Chairs of the Task Force and State Team may hire staff or consultants to assist the Task Force and the State Team in completing their duties.

(b) Members, staff, and consultants of the Task Force or State Team shall receive travel and subsistence expenses in accordance with the provisions of G.S. 138-5 or G.S. 138-6, as the case may be, paid from funds appropriated to implement this Article and within the limits of those funds.

(c) With the approval of the Legislative Services Commission, legislative staff and space in the Legislative Building and the Legislative Office Building may be made available to the Task Force."

(b) The Department of Environment, Health, and Natural Resources, the Department of Human Resources, the Department of Justice, and the State Board of Education shall adopt joint rules to ensure full cooperation of these departments and related local agencies with the work of the North Carolina Child Fatality Task Force and the North Carolina Child Fatality Review Team.

(c) Of the funds appropriated in this Title to the Department of Environment, Health, and Natural Resources, \$158,000 for the 1991-92 fiscal year and \$165,000 for the 1992-93 fiscal year shall be used to implement this section. Of these funds, \$83,200 for the 1991-92 fiscal year and \$75,000 for the 1992-93 fiscal year shall be allocated to the North Carolina Child Fatality Task Force and \$74,800 for the 1991-92 fiscal year and \$90,000 for the 1992-93 fiscal year shall be allocated to the North Carolina Child Fatality Review Team.

Requested by: Representatives H. Hunter, Ethridge, DeVane, Redwine, Senator Martin of Pitt

-----DWI TEST CHANGES

Sec. 233.1. (a) G.S. 20-16.5(j) reads as rewritten:

"(j) Costs. — Unless the magistrate or judge orders the revocation rescinded, a person whose license is revoked under this section must pay a fee of ~~twenty-five dollars (\$25.00)~~ fifty dollars (\$50.00) as costs for the action before ~~his~~ the person's license may be returned under subsection (h). The costs collected under this section ~~go to the State.~~ shall be credited to the General Fund. Fifty percent (50%) of the costs collected shall be used to fund a statewide chemical alcohol testing program administered by the Injury Control Section of the Department of Environment, Health, and Natural Resources."

(b) G.S. 20-139.1(b1) reads as rewritten:

"(b1) ~~When Arresting or Charging~~ Officer May Not Perform Chemical Analysis. — ~~A Except as provided in this subsection, a~~ chemical analysis is not valid in any case in which it is performed by an arresting officer or by a charging officer under the terms of G.S. 20-16.2. A chemical analysis of the breath may be performed by an arresting officer or by a charging officer when both of the following apply:

(1) The officer possesses a current permit issued by the Department of Environment, Health, and Natural Resources for the type of chemical analysis.

(2) The officer performs the chemical analysis by using an automated instrument that prints the results of the analysis."

(c) G.S. 20-16.2(a) reads as rewritten:

"(a) Basis for Charging Officer to Require Chemical Analysis; Notification of Rights. — Any person who drives a vehicle on a highway or public vehicular area thereby gives consent to a chemical analysis if ~~he is~~ charged with an implied-consent

offense. The charging officer must designate the type of chemical analysis to be administered, and it may be administered when ~~he~~ the officer has reasonable grounds to believe that the person charged has committed the implied-consent offense.

Except as provided in this subsection or subsection (b), before any type of chemical analysis is administered the person charged must be taken before a chemical analyst authorized to administer a test of a person's breath, who must inform the person orally and also give him the person a notice in writing that:

- (1) He has a right to refuse to be tested.
- (2) Refusal to take any required test or tests will result in an immediate revocation of his driving privilege for at least 10 days and an additional 12-month revocation by the Division of Motor Vehicles.
- (3) The test results, or the fact of his refusal, will be admissible in evidence at trial on the offense charged.
- (4) His driving privilege will be revoked immediately for at least 10 days if:
 - a. The test reveals an alcohol concentration of 0.10 or more; or
 - b. He was driving a commercial motor vehicle and the test reveals an alcohol concentration of 0.04 or more.
- (5) He may have a qualified person of his own choosing administer a chemical test or tests in addition to any test administered at the direction of the charging officer.
- (6) He has the right to call an attorney and select a witness to view for him the testing procedures, but the testing may not be delayed for these purposes longer than 30 minutes from the time he is notified of his rights.

If the charging officer or an arresting officer is authorized to administer a chemical analysis of a person's breath and the charging officer designates a chemical analysis of the blood of the person charged, the charging officer or the arresting officer may give the person charged the oral and written notice of rights required by this subsection."

(d) Amounts collected under G.S. 20-16.5(j) for fiscal years 1991-92 and 1992-93 and designated for the alcohol testing program of the Injury Control Section of the Department of Environment, Health, and Natural Resources shall not revert to the General Fund. The amount of funds collected under G.S. 20-16.5(j) that are designated for this alcohol testing program and have not been spent or obligated as of June 30, 1994, shall revert to the Highway Fund.

Beginning with the 1994-95 fiscal year, any funds collected under G.S. 20-16.5(j) that are designated for the alcohol testing program of the Injury Control Section of the Department of Environment, Health, and Natural Resources and are not needed for that program shall be transferred quarterly to the Governor's Highway Safety Program for grants to local law enforcement agencies for training concerning enforcement of the laws on driving while impaired. Except for amounts transferred during the fourth quarter of a fiscal year, the Governor's Highway Safety Program shall expend funds transferred to it under this section in the fiscal year in which they are received. Amounts received by the Governor's Highway Safety Program during the fourth quarter of a fiscal year shall not revert and shall be expended by the following September 30.

(e) There is appropriated from the General Fund to the Department of Environment, Health, and Natural Resources the sum of \$1,433,822 for the 1991-92 fiscal year and the sum of \$1,433,264 for the 1992-93 fiscal year to fund the statewide chemical alcohol testing program administered by the Injury Control Section of the Department; provided, however, if the revenues raised under this section are less than \$1,433,822 for the 1991-92 fiscal year and \$1,433,264 for the 1992-93 fiscal year, the appropriation is reduced accordingly.

(f) Subsection (a) of this section becomes effective August 1, 1991, and applies to revocation orders issued under G.S. 20-16.5 on or after that date. Subsection (b) of this section becomes effective January 1, 1993, and applies to chemical analyses performed on or after that date.

Requested by: Representatives H. Hunter, Ethridge, DeVane, Senators Martin of Pitt, Tally

-----LAKE RIM FISH HATCHERY REPAIRS

Sec. 233.2. The Wildlife Resources Commission may use no more than \$390,297 for the 1991-92 fiscal year to repair the dam at the Lake Rim Fish Hatchery in Cumberland County.

Requested by: Representatives H. Hunter, Ethridge, DeVane, Senators Martin of Pitt, Basnight

-----COASTAL BOATING GUIDE

Sec. 233.3. The Wildlife Resources Commission shall use funds available to it for the 1991-92 fiscal year to publish and distribute the North Carolina Coastal Boating Guide.

TITLE III. - CAPITAL IMPROVEMENTS

Sec. 234. The appropriations made by the 1991 General Assembly for capital improvements are for constructing, repairing, or renovating State buildings, utilities, and other capital facilities, for acquiring sites for them where necessary, and for acquiring buildings and land for State government purposes.

PART 43.-----PROCEDURES FOR DISBURSEMENTS

Sec. 235. The appropriations made by the 1991 General Assembly for capital improvements shall be disbursed for the purposes provided by this act. Expenditure of funds shall not be made by any State department, institution, or agency, until an allotment has been approved by the Governor as Director of the Budget. The allotment shall be approved only after full compliance with the Executive Budget Act, Article 1 of Chapter 143 of the General Statutes. Prior to the award of construction contracts for projects to be financed in whole or in part with self-liquidating appropriations, the Director of the Budget shall approve the elements of the method of financing of those projects including the source of funds, interest rate, and liquidation period. Provided, however, that if the Director of the Budget approves the method of financing a project, he shall report that action to the Joint Legislative Commission on Governmental Operations at its next meeting.

Where direct capital improvement appropriations include the purpose of furnishing fixed and movable equipment for any project, those funds for equipment shall not be subject to transfer into construction accounts except as authorized by the Director of the Budget. The expenditure of funds for fixed and movable equipment and furnishings shall be reviewed and approved by the Director of the Budget prior to commitment of funds.

Capital improvement projects authorized by the 1991 General Assembly shall be completed, including fixed and movable equipment and furnishings, within the limits of the amounts of the direct or self-liquidating appropriations provided, except as otherwise provided in this act.

PART 44.-----CAPITAL IMPROVEMENTS/GENERAL FUND

Sec. 236. (a) Allocations are made from The State Capital Facilities Legislative Bond Fund of 1991 for the 1991-92 fiscal year to provide for capital improvement projects according to the following schedule:

State Capital Facilities Legislative Bond Fund of 1991

1991-92

Department of Administration

- | | |
|--|--------------|
| 1. New Central Heat Plant (restores 1990-91 funds) | \$ 6,594,500 |
| 2. Mall Improvements - Sidewalk Completion and Landscaping | 675,000 |

Department of Human Resources

- | | |
|--|-----------|
| 1. Murdoch Center-Parkview Cottage Renovation
(restores 1990-91 funds) | 1,400,000 |
| 2. John Umstead - Alum Sludge Treatment Facility | 1,100,000 |
| 3. Black Mountain Center - Renovations
(restores previously appropriated funds) | 1,300,000 |
| 4. Secretary's Office - Headstart Bonds Account
(Grant equivalent to one modular classroom or
renovations to existing facilities.) | 1,600,000 |

Department of Crime Control and Public Safety

- | | |
|---|---------|
| 1. Replace Underground Storage Tanks to comply with
EPA requirements(National Guard) | 92,000 |
| 2. Goldsboro Armory - Total Requirements 2,800,800 | |
| Federal Funds 2,057,300 | |
| Local Funds 371,750 | |
| State Appropriation | 371,750 |
| 3. Clinton Armory - Total Requirements 2,608,500 | |
| Federal Funds 1,884,200 | |
| Local Funds 362,150 | |
| State Appropriation | 362,150 |

Department of Environment, Health, and Natural Resources

- | | |
|---|-----------|
| 1. Water Resources Development Projects | 2,055,000 |
| 2. Park Repair and Maintenance Projects | 2,000,000 |

Office of State Budget

- | | |
|--|-----------|
| 1. Reserve for Repairs and Renovations | 8,299,600 |
|--|-----------|

University of North Carolina Board of Governors

- | | |
|------------------------------------|------------|
| 1. Reserve for Repairs/Renovations | 14,300,000 |
|------------------------------------|------------|

General Assembly

- | | |
|---|-----------|
| 1. Buildings/Office Repairs and Renovations | 4,600,000 |
|---|-----------|

Department of Cultural Resources

- | | |
|---|---------|
| 1. Fort Fisher/Highway 421 Erosion Control Matching Funds | 250,000 |
|---|---------|

GRAND TOTAL

\$ 45,000,000.

(b) This section is effective only if Senate Bill 930, 1991 Session, is ratified.

(c) Allocations made in Section 221 of this Title to the Department of Crime Control and Public Safety for the Armory at Goldsboro and the Armory at Clinton are contingent upon federal matching funds being available. If federal matching funds do not become available by July 1, 1992, these allocations shall be transferred to the Office of State Budget and placed in the Reserve for Repairs and Renovations.

PART 44A.-----CAPITAL IMPROVEMENTS/HIGHWAY FUND

Sec. 236.1. Appropriations are made from the Highway Fund for the 1991-92 fiscal year and the 1992-93 fiscal year for use of the Department of Transportation to provide for capital improvement projects according to the following schedule:

DIVISION OF HIGHWAYS

	<u>1991-92</u>	<u>1992-93</u>
01. Bridge Maintenance Office Complex		
Supplemental - Town of Brunswick	\$224,000	\$ -

02. Equipment Shop - Carthage	-	2,247,000
03. Bridge Maintenance Complex - Wadesboro	26,000	439,000
04. Gas Pump Canopies - Statewide	398,000	311,000
05. Fencing - Statewide	171,000	-
06. Land Acquisition - Siler City	54,000	-
07. Land Acquisition/Maintenance Yard - Halifax	13,000	-
08. Land Acquisition/Maintenance Yard - Trenton	27,000	-
09. Water and Sewer Connections		
- Statewide	308,000	-
-Greene County Facility	400,000	-
10. Division Office Complex Phase II - Fayetteville	-	1,688,000
11. Division Office Addition - Greensboro		
Requirements	589,000	
Less Receipts (Sale of Land)	<u>-589,000</u>	
Appropriation	-	-
12. Landscape Office, Warehouse and Truck Shed		
- Asheville		
Requirements	472,000	
Less Receipts (Sale of Land)	<u>-472,000</u>	
Appropriation	-	-
13. Salt Storage Buildings - Statewide	405,000	67,000
14. Equipment Shop - Mocksville	511,000	-
15. District Office Building - Albemarle	49,000	247,000
16. Division of Highways/Division of Motor		
Vehicles Office Complex - Graham	67,000	-
17. Sign Shop - Town of Union	-	725,000
18. Design Equipment Shop - Meadows	-	41,000
19. Design Equipment Shop - Spindale	-	24,000
20. Design Equipment Shop - Washington	-	40,000
21. Design Equipment Shop - Wentworth	-	44,000
22. Bridge Maintenance Warehouse/Shed -		
Town of Union	-	81,000
23. Design Sign Shop - Carthage	-	33,000
24. Design Resident Engineer Office - Marion	-	18,000
25. Design Equipment Shop - Kinston	<u>-</u>	<u>43,000</u>
TOTAL DIVISION OF HIGHWAYS	\$2,653,000	\$6,048,000

DIVISION OF MOTOR VEHICLES

	<u>1991-92</u>	<u>1992-93</u>
01. Upgrade Electrical Power, Communication and		
Computer Circuits - Raleigh Division of Motor		
Vehicles Building	\$ 216,200	\$ -
02. Building Addition - Wilmington	221,900	-
03. Building Addition - Statesville	170,075	-
04. New Office Building - Asheville	635,100	-
05. Roof Replacement (7 Locations)	100,500	-
06. Resurface Parking Lots (6 Locations)	107,500	-
07. Roof Replacement (7 Locations)	-	103,100
08. Resurface Parking Lots (6 Locations)	-	111,900
09. Building Addition - Goldsboro	-	167,630
10. Building Addition - Whiteville	-	164,770
11. Building Addition - Hillsborough	-	179,200
12. Building Addition - Kinston	-	179,200
13. Building Addition - Jacksonville	-	174,800

14. Reserve to Make Restrooms Handicapped Accessible in DMV Facilities	<u>25,000</u>	<u>25,000</u>
TOTAL DIVISION OF MOTOR VEHICLES	\$1,476,275	\$1,105,600
CRIME CONTROL AND PUBLIC SAFETY		
01. State Highway Patrol - Troop H Headquarters - New Building	\$190,000	\$1,348,900
02. State Highway Patrol - Upgrade and replace underground fuel tanks	<u>300,000</u>	<u>300,000</u>
TOTAL CRIME CONTROL AND PUBLIC SAFETY	\$ 490,000	\$1,648,900
GRAND TOTAL HIGHWAY FUND	\$4,619,275	\$8,802,500

PART 45.-----SPECIAL PROVISIONS

Requested by: Representative Diamont

-----UNC CAPITAL PROJECTS/FEES

Sec. 237. (a) All capital improvement projects proposed by the Board of Governors of The University of North Carolina as self-liquidating projects shall include plans for financing the projects, including estimates of the impact on student fees and other charges.

(b) The Board of Governors of The University of North Carolina shall adopt rules which limit the amount of student fees which may be charged to retire debt at each campus. These limitations may be phased in to accommodate these campuses whose fees already exceed the proposed limits.

(c) The Board of Governors of The University of North Carolina shall review annually the amounts and purposes for all student fees charged by each campus, in an effort to keep these nonacademic fees as low as possible.

Requested by: Representative Holt

-----REALLOCATE DMV FUNDS-ASHEVILLE

Sec. 238. Funds remaining from the appropriation to the Department of Transportation, Division of Motor Vehicles, in Section 8 of Chapter 1074 of the 1989 Session Laws, Regular Session 1990, for land purchase and building design-Asheville, are reallocated to the Division for land and building purchase-Asheville, including appraisal and other costs incidental to such purchase.

Requested by: Representatives H. Hunter, Etheridge, DeVane, N.J. Crawford, Foster, J.W. Crawford, Senator Martin of Pitt

-----PARK REPAIR AND MAINTENANCE/REPORT

Sec. 238.1. (a) The funds appropriated to the Department of Environment, Health, and Natural Resources for the 1991-92 fiscal year in this Title shall be used for park repair and maintenance projects.

(b) The Division shall report to the Joint Legislative Commission on Governmental Operations and to the Office of State Budget and Management by September 20, 1991, on its proposed use of the funds available pursuant to this section. The Division shall not expend or obligate any of these funds until it has made this report.

Requested by: Representative Payne

-----WATER RESOURCES DEVELOPMENT PROJECTS

Sec. 238.2. (a) Of the funds appropriated to the Department of Environment, Health, and Natural Resources for the 1991-92 fiscal year, the sum of \$2,055,000 shall be used for water resources development projects. The Department shall fund the following projects, whose estimated costs are as indicated:

- | | |
|--|------------|
| (1) Wilmington Harbor Maintenance and Dredging | \$ 475,000 |
| (2) Morehead City Harbor | 50,000 |
| (3) Northeast Cape Fear River Navigation | 280,000 |

(4) Stumpy Point Bay Maintenance Dredging	220,000
(5) Great Coharie Creek Clearing & Snagging (Sampson County)	26,000
(6) Wilmington Harbor Comprehensive Study	270,000
(7) Corps of Engineers Feasibility Studies	75,000
(8) Planning Assistance to State Corps of Engineers	9,000
(9) Town Fork Flood Control and Water Supply (Stokes County)	650,000

(b) Where the actual costs are different from the estimated costs under subsection (a) of this section, the Department may adjust the allocations among projects as needed. If any projects listed in subsection (a) of this section are delayed and the budgeted State funds cannot be used during the 1991-92 fiscal year, or if the projects listed in subsection (a) are accomplished at a lower cost, the Department may use the resulting fund availability to fund:

- (1) Corps of Engineers project feasibility studies, or
- (2) Corps of Engineers projects whose schedules have advanced and require State matching funds in fiscal year 1991-92, or
- (3) State-local Water Resources Development Projects.

Funds not expended or encumbered for these purposes shall revert to the General Fund at the end of the 1992-93 fiscal year.

(c) Beginning October 1, 1991, the Department shall make quarterly reports on the use of these funds to the Joint Legislative Commission on Governmental Operations, the Director of the Fiscal Research Division, and the Office of State Budget and Management. Each report shall include:

- (1) All projects listed in subsection (a) of this section;
- (2) The estimated cost of each project;
- (3) The date work on each project began or is expected to begin;
- (4) The date work on each project was completed or is expected to be completed; and
- (5) The actual cost of each project.

The quarterly reports shall also show those projects advanced in schedule, those projects delayed in schedule, and an estimate of the amount of funds expected to revert to the General Fund.

Requested by: Representatives Barnes, Anderson, Redwine, Senators Basnight, Plyler, Marvin

-----PRISON BOND APPROPRIATIONS

Sec. 239. (a) **General Purposes.** The appropriations hereby made by the 1991 General Assembly for capital improvements from the proceeds of the \$200,000,000 State of North Carolina Prison and Youth Services Facilities Bonds authorized by Chapter 935 of the 1989 Session Laws (the "bond act") and approved by the qualified voters of the State who voted thereon on November 6, 1990, as said bonds may be issued from time to time (the "bonds"), are for the purposes of financing the cost of \$112,500,000 of State prison facilities and youth services facilities, including, without limitation, the cost of constructing capital facilities, renovating or reconstructing existing facilities, acquiring equipment related thereto, purchasing land, paying costs of issuance of bonds and notes and paying contractual services necessary for the partial implementation of the purposes of the bond act, all as defined in and authorized by the bond act and as more particularly described in this section.

The particular projects within the purposes under the bond act to be financed by the \$87,500,000 balance of the \$200,000,000 bond authorization may, as authorized by the bond act, be determined by legislative action of the General Assembly during the 1991 Session or any subsequent session.

(b) **Appropriation Procedures.** The appropriations hereby made by the 1991 General Assembly for the purposes under the bond act shall be disbursed for the particular projects authorized by this section. Expenditure of funds shall not be made

by any State department, institution or agency, until an allotment has been approved by the Governor as Director of the Budget. The allotment shall be approved only after full compliance with the Executive Budget Act, Article 1 of Chapter 143 of the General Statutes.

Where direct capital improvement appropriations include furnishing fixed and movable equipment for any project, funds for equipment shall not be subject to transfer into construction accounts except as authorized by the Director of the Budget. The expenditure of funds for fixed and movable equipment and furnishings shall be reviewed and approved by the Director of the Budget prior to commitment of funds.

Capital improvement projects authorized by this section shall be completed, including fixed and movable equipment and furnishings, within the limits of the amounts of the appropriations provided, except as otherwise provided in this section.

(c) **Descriptions, Custodial Levels, Beds, Projected Allocations.** Appropriations are made from bond proceeds for use by the Departments of Correction and Human Resources to provide for capital improvement projects as herein provided.

The proceeds of bonds and notes shall be expended for paying the cost, as defined in the bond act, of prison and youth services facilities, to the extent and as provided in this section and subject to change as herein provided, for the following projects:

DEPARTMENT OF CORRECTION

<u>Project Description</u>	<u>Custodial Level</u>	<u>Beds</u>	
Nash Correctional Institution	Med	128	
Marion Correctional Center	Med	906	
Cherry Correctional Center	Min	500	
Central Prison	Close	144	
Pasquotank Youth Institution	Med	440	
NCCIW	Close/Med	256	
NCCIW - Repairs and Renovations			
Lumberton Correctional Center	Med	312	
Fountain Correctional Center	Min	100	
Greene Correctional Center	Min	200	
Hyde Correctional Center	Med	312	
Brown Creek Sewing Plant			
Pender Furniture Refurbishing Facility			
Columbus Sewing Facility			
Caswell Sewing and Tailoring Equipment			
Harnett Dining Hall			
Subtotal		3,298	\$96,980,702
Contingencies			<u>6,399,608</u>
TOTAL			\$103,380,310

DEPARTMENT OF HUMAN RESOURCES-DIVISION OF YOUTH SERVICES

7 Secure/nonsecure group homes

9 beds added to Pitt Detention Ctr.

Renovate unused dorms & upgrade to meet American Correctional Association Standards

Dillon secure unit, counseling space, & fencing at 5 facilities

Conversion of dorms to individual rooms

Increase number of transition beds - step down & independent living for Training Schools

\$9,119,690

(d) **Increases in Projected Allocations.** Projected allocations set forth above may be increased to reflect the availability of other funds, including, without limitation, contingency funds, income earned on the investment of bond and note proceeds, funds provided by the issuance of bonds under the remaining \$87,500,000 authorization, and the proceeds of any grants.

(e) **Contingency Funds.** The amount allocated for contingencies set forth above shall be placed by the State Treasurer in a special account in the State Prison and Youth Services Facilities Bond Fund to be designated the "State Prison and Youth Services Facilities Contingency Account." The funds in the State Prison and Youth Services Facilities Contingency Account shall be disbursed in accordance with the procedures herein established for disbursements from the State Prison and Youth Services Facilities Bond Fund. The funds in the State Prison and Youth Services Facilities Contingency Account shall be expended for paying the cost of projects, including, without limitation, the costs of issuance of bonds and notes, increased project costs resulting from construction costs exceeding projected costs, inflationary factors and changes in projects and allocations. Any balance in the State Prison and Youth Services Facilities Contingency Account may be used for the particular projects to be financed by the issuance of bonds under the remaining \$87,500,000 authorization.

(f) **Administration.** With respect to facilities authorized for the Department of Correction, the Office of State Budget and Management may contract for and supervise all aspects of administration, technical assistance, design, construction or demolition of prison facilities in order to implement the providing of prison facilities under the provisions of this act without being subject to the requirements of the following statutes and rules implementing those statutes: G.S. 143-135.26(1), 143-128, 143-129, 143-131, 143-132, 143-134, 143-135.26, 143-64.10 through 143-64.13, 113A-1 through 113A-10, 113A-50 through 113A-66, 133-1.1(b), 133-1.1(g), and 143-408.1; provided, however, of the funds allocated under the provisions of this act for the construction of prison facilities, the Office of State Budget and Management shall have a verifiable ten percent (10%) goal for participation by minority and women-owned businesses. All contracts for the design, construction, or demolition of prison facilities shall include a penalty for failure to complete the work by a specified date.

The proposals for prison facilities authorized in this section shall be invited by advertisement in newspapers having general circulation in the State. The form of advertisement shall be prepared in the form of Section 301 of the State Construction Manual of the Department of Administration, and shall be published in one issue of the newspaper. A minimum of at least seven full days shall lapse between the date of publication and the date of the opening of bids. Initiation of the advertisement shall be by the Office of State Budget and Management.

The Office of State Budget and Management shall consider alternative delivery systems that could expedite the delivery of prison facilities. Such delivery systems as design-build, using modular or conventional building systems, shall be considered. However, in order for such alternatives to be used, the Department of Correction must approve the proposed design for operational programming and cost of operations and maintenance.

(g) **Changes.** To the extent that funds are not required to be expended for the specific projects described in this section, appropriations authorized herein may be used to construct, reconstruct, or renovate prison industrial and forestry enterprise, facilities, as mentioned in G.S. 148-2, at prison facilities statewide, as replacement projects, and to make necessary prison facility repairs and renovations but no such funds may be used for operating expenditures. Prior to taking any action under subsection (g), the Governor may consult with the Advisory Budget Commission.

(h) **Quarterly Reports.** The Office of State Budget and Management in respect to prison facilities and the Department of Human Resources in respect to youth services facilities shall provide quarterly reports to the Chairman of the Appropriations Committee and the Base Budget Committee in the Senate, the

Chairman of the Appropriations Committee in the House, the Joint Legislative Commission on Governmental Operations, and the Fiscal Research Division as to any changes in projects and allocations made under this section. To the extent that funds remain unexpended, they shall be subject to further reallocation or reappropriation by the General Assembly for purposes permitted by the Bond Act.

Requested by: Representatives Barnes, Anderson, Redwine, Senators Basnight, Plyler, Marvin

-----RESERVE FOR ADMINISTRATION AND OPERATION OF NEW UNITS

Sec. 240. Of the funds appropriated from the General Fund to the Department of Correction for the 1992-93 fiscal year in Title II of this act, a reserve of \$10,246,368 shall be used to administer and operate the new prison units being constructed with the bond proceeds appropriated in this Title. The positions shall not become effective more than 90 days prior to the completion date of the facilities with the exception of Department of Correction administrative staff, Division of Prisons administrative staff, superintendents, assistant superintendents, administrative services managers, plant maintenance supervisors, and secretaries at the Marion Correctional Institution, Cherry Correctional Center, Pasquotank Youth Institution, Lumberton Correctional Center, Hyde Correctional Center, and Greene Correctional Center.

Requested by: Representatives Barnes, Anderson, Redwine, Senators Basnight, Plyler, Marvin

-----PITT COUNTY DETENTION CENTER ADDITION/RESERVE FUND

Sec. 241. Of the funds appropriated to the Department of Human Resources for the 1992-93 fiscal year in Title 2 of this act, a reserve of \$60,000 shall be used to administer and operate the addition to the Pitt County Detention Center being constructed with the bond proceeds appropriated in this Title.

Requested by: Senator Soles

-----WATER LINES/COLUMBUS COUNTY NEW HIGH SCHOOL

Sec. 241.1. The Director of the Budget shall use up to \$250,000 from interest accumulated in the Clean Water Revolving Loan and Grant Program in the 1991-92 fiscal year for increasing the size of water and sewer lines, and related pumping facilities, planned for extension to the new high school in Columbus County along Highway 701 north of Tabor City.

Requested by: Representative Barnes

-----UNC REMOVAL OF HANDICAPPED BARRIERS

Sec. 242. (a) Of the funds appropriated in this Title to the Board of Governors of The University of North Carolina, \$2,000,000 shall be used for the elimination of man-made barriers that make the programs or activities of the constituent institutions of the University inaccessible to or unusable by handicapped persons.

(b) Prior to allocating funds for barrier removal, the Board of Governors shall adopt a comprehensive plan, to be completed by no later than January 1, 1992, which shall include:

- (1) A survey of facilities at each constituent institution, to determine which facilities must be modified to insure that institutional programs or activities, when viewed in their entirety, are readily accessible to handicapped persons. The institutional surveys shall be conducted in accordance with definitions and standards adopted by the U.S. Department of Education, under the requirements of section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and shall incorporate any findings made by the Office for Civil Rights of the U.S. Department of Education pursuant to either complaint investigations or technical assistance surveys conducted at constituent institutions of the University. In conducting the survey, each institution shall establish and enlist the assistance of an advisory committee, which shall include handicapped members of the institutional community or their representatives.

- (2) A description of the nature and estimated cost of each facility modification identified in the institutional surveys.
- (3) A schedule for addressing adjustments and modifications designed to insure accessibility, based on the following priorities:
 - a. Nonstructural adjustments. If a program or activity of a constituent institution can be made readily accessible to handicapped persons without structural adjustments, as through reassignment of classes or other services to accessible facilities or making aides available to handicapped persons, such modifications shall be made within 60 days of the date of their identification by the institutional surveys, without regard to the schedule for facility modifications.
 - b. Facility modifications which can be accomplished within one year after their starting date.
 - c. Facility modifications which cannot be accomplished within one year but can be accomplished within three years after their starting date.
 - d. Other facility modifications.
- (4) A system for insuring that future facilities are accessible.
- (c) The Board of Governors may allocate up to \$200,000 of the bond proceeds to conduct the surveys and complete the plan required by this section.

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler

-----RESERVE FOR ADVANCE PLANNING

Sec. 243. The Office of State Budget and Management shall report to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division on how it intends to spend funds from the Reserve for Advance Planning at least 45 days before it spends the funds.

The Office of State Budget and Management shall also report the results of any project on which it uses funds from the Reserve for Advance Planning to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division.

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler

-----ENCUMBERED APPROPRIATIONS AND PROJECT RESERVE FUND

Sec. 244. When each capital improvement project appropriated by the 1991 General Assembly, other than those projects under the Board of Governors of The University of North Carolina, is placed under construction contract, direct appropriations shall be encumbered to include all costs for construction, design, investigation, administration, movable equipment, and a reasonable contingency. Unencumbered direct appropriations remaining in the project budget shall be placed in a project reserve fund credited to the Office of State Budget and Management. Funds in the project reserve may be used for emergency repair and renovation projects at State facilities with the approval of the Director of the Budget. The project reserve fund may be used, at the discretion of the Director of the Budget, to allow for award of contracts where bids exceed appropriated funds, if those projects supplemented were designed within the scope intended by the applicable appropriation or any authorized change in it, and if, in the opinion of the Director of the Budget, all means to award contracts within the appropriation were reasonably attempted. At the discretion of the Director of the Budget, any balances in the project reserve fund shall revert to the original source.

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler

-----PROJECT COST INCREASE

Sec. 245. Upon the request of the administration of a State department or institution, the Director of the Budget may, when in his opinion it is in the best interest of the State to do so, increase the cost of a capital improvement project. Provided, however, that if the Director of the Budget increases the cost of a project, he shall

report that action to the Joint Legislative Commission on Governmental Operations at its next meeting. The increase may be funded from gifts, federal or private grants, special fund receipts, excess patient receipts above those budgeted at University of North Carolina Hospitals at Chapel Hill, or direct capital improvement appropriations to that department or institution.

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler

-----NEW PROJECT AUTHORIZATION

Sec. 246. Upon the request of the administration of any State department or institution, the Governor may authorize the construction of a capital improvement project not specifically authorized by the General Assembly if such project is to be funded by gifts, federal or private grants, special fund receipts, excess patient receipts above those budgeted at University of North Carolina Hospitals at Chapel Hill, or self-liquidating indebtedness. Provided, however, that if the Director of the Budget authorizes the construction of such a capital improvement project, he shall report that action to the Joint Legislative Commission on Governmental Operations at its next meeting.

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler

-----ADVANCE PLANNING OF CAPITAL IMPROVEMENT PROJECTS

Sec. 247. Funds which become available by gifts, excess patient receipts above those budgeted at University of North Carolina Hospitals at Chapel Hill, federal or private grants, receipts becoming a part of special funds by act of the General Assembly or any other funds available to a State department or institution may be utilized for advance planning through the working drawing phase of capital improvement projects, upon approval of the Director of the Budget. The Director of the Budget may make allocations from the Advance Planning Fund for advance planning through the working drawing phase of capital improvement projects, except that this revolving fund may not be utilized by the Board of Governors of The University of North Carolina or the State Board of Community Colleges.

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler

-----APPROPRIATIONS LIMITS/REVERSION OR LAPSE

Sec. 248. Except as permitted in previous sections of this act, the appropriations for capital improvements made by the 1991 General Assembly may be expended only for specific projects set out by the 1991 General Assembly and for no other purpose. Construction of all capital improvement projects enumerated by the 1991 General Assembly shall be commenced, or self-liquidating indebtedness with respect to them shall be incurred, within 12 months following the first day of the fiscal year in which the funds are available. If construction contracts on those projects have not been awarded or self-liquidating indebtedness has not been incurred within that period, the direct appropriation for those projects shall revert to the original source, and the self-liquidating appropriation shall lapse; except that direct appropriations may be placed in a reserve fund as authorized in this act. This deadline with respect to both direct and self-liquidating appropriations may be extended up to an additional 12 months if circumstances and conditions warrant such extension.

TITLE IV. - REVENUE RECONCILIATION

PART 46.-----INTERNAL REVENUE CODE UPDATE

Sec. 249. G.S. 105-2.1 reads as rewritten:

"§ 105-2.1. Internal Revenue Code definition.

As used in this Article, the term 'Code' means the Internal Revenue Code as enacted as of ~~January 1, 1990~~, January 1, 1991, and includes any provisions enacted as of that date which become effective either before or after that date."

Sec. 250. G.S. 105-114(b)(1) reads as rewritten:

"(1) The term 'Code' means the Internal Revenue Code as enacted as of ~~January 1, 1990, January 1, 1991~~, and includes any provisions enacted as of that date which become effective either before or after that date."

Sec. 251. G.S. 105-131(b)(1) reads as rewritten:

"(1) 'Code' means the Internal Revenue Code as enacted as of ~~January 1, 1990, January 1, 1991~~, and includes any provisions enacted as of that date which become effective either before or after that date."

Sec. 252. G.S. 105-134.1(1) reads as rewritten:

"(1) Code. The Internal Revenue Code as enacted as of ~~January 1, 1990, January 1, 1991~~, including any provisions enacted as of that date which become effective either before or after that ~~date, date, but not including sections 63(c)(4) and 151(d)(3).~~"

Sec. 253. G.S. 105-134.6(b)(8) reads as rewritten:

"(8) The amount by which the taxpayer's ~~mortgage interest deduction deductions~~ allowed under the Code was reduced pursuant to section 163(g) of the Code, ~~were reduced, and the amount of the taxpayer's deductions that were not allowed, because the taxpayer elected a federal tax credit in lieu of a deduction, to the extent that a similar credit is not allowed by this Division for the amount.~~"

Sec. 254. G.S. 105-134.6(c)(4) reads as rewritten:

"(4) The amount by which the taxpayer's standard deduction has been increased ~~for inflation~~ under section 63(c)(4) of the Code and the amount by which the taxpayer's personal exemptions have been increased ~~for inflation~~ under section ~~151(d)(3) 151(d)(4)~~ of the Code. For the purpose of this subdivision, if the taxpayer's personal exemptions have been reduced by the applicable percentage under section 151(d)(3) of the Code, the amount by which the personal exemptions have been increased for inflation is also reduced by the applicable percentage."

Sec. 255. G.S. 105-163.1(1) reads as rewritten:

"(1) Code. — The Internal Revenue Code as enacted as of ~~January 1, 1990, January 1, 1991~~, including any provisions enacted as of that date which become effective either before or after that date."

Sec. 256. G.S. 105-212(f) reads as rewritten:

"(f) As used in this section, the term 'Code' means the Internal Revenue Code as enacted as of ~~January 1, 1990, January 1, 1991~~, and includes any provisions enacted as of that date which become effective either before or after that date."

PART 47.-----CORPORATE INCOME TAX CHANGES

Sec. 257. G.S. 105-130.2 reads as rewritten:

"§ 105-130.2. Definitions.

~~For the purpose of this Division, and unless otherwise required by the context: The following definitions apply in this Division:~~

(1) ~~'Code' means the Code. — The Internal Revenue Code as enacted as of January 1, 1990, and includes 1991, including any provisions enacted as of that date which become effective either before or after that date.~~

(1a) ~~The word 'corporation' Corporation. — This term includes joint-stock companies or associations and insurance companies.~~

(1b) ~~C Corporation. — A corporation that is not an S Corporation.~~

(1c) ~~Department. — The Department of Revenue.~~

(2) ~~The words 'domestic corporation' mean any Domestic corporation. — A corporation organized under the laws of this State.~~

(3) ~~The words 'fiscal year' mean an Fiscal year. — An income year, ending on the last day of any month other than December. A corporation which that pursuant to the provisions of the Code has elected to compute its federal income tax liability to the United States on the basis of an annual period varying from 52 to 53 weeks shall compute its taxable income for the purposes of this division under this Division on the basis of the same~~

period used by ~~such the~~ corporation in accordance with the Code in computing its federal income tax liability to the United States for ~~such for the~~ income year.

- (4) ~~The words 'foreign corporation' mean any Foreign corporation. — Any corporation other than a domestic corporation.~~
- (5) ~~The words 'income year' or 'taxable year' mean the Income year. — The calendar year or the fiscal year upon the basis of which the net income is computed under this division; provided, that if Division. If no fiscal year has been established, they mean the income year is the calendar year, year, except that in In the case of a return made for a fractional part of a year under the provisions of this Division or under rules or regulations prescribed adopted by the Secretary of Revenue, the words 'income year' or 'taxable year' mean Secretary, the income year is the period for which such the return is made.~~
- (5a) S Corporation. — Defined in G.S. 105-131(b).
- (5b) Secretary. — The Secretary of Revenue.
- (5c) State net income. — Federal taxable income adjusted as provided in G.S. 105-130.5 and, in the case of a corporation that has income from business activity that is taxable both within and without this State, allocated and apportioned to this State as provided in G.S. 105-130.4.
- (5d) Taxable year. — Income year.
- (6) ~~The word 'taxpayer' includes any Taxpayer. — A corporation subject to the tax imposed by this Division."~~

Sec. 258. G.S. 105-130.3 reads as rewritten:

"§ 105-130.3. Corporations.

A tax is imposed on the State net income of every C Corporation doing business in this State at seven and seventy-five one-hundredths percent (7.75%) of the corporation's State net income. An S Corporation is not subject to the tax levied in this section.

~~Every corporation doing business in this State shall pay annually an income tax equivalent to seven percent (7%) of its net income or the portion thereof allocated and apportioned to this State, except that an S Corporation subject to the provisions of Division I-S of this Article shall not be subject to the tax levied by this section.~~

~~The net income or net loss of such corporation shall be the same as 'taxable income' as defined in the Code subject to the adjustments provided in G.S. 105-130.5.~~

~~If the entire business of the corporation is done within this State or if the corporation is not taxable in another state within the meaning of subsection (b) of G.S. 105-130.4, the tax shall be measured by the entire net income of the corporation for the income year.~~

~~If the business of the corporation is taxable both within and without this State, its entire net income or net loss shall be allocated and apportioned in accordance with the provisions of G.S. 105-130.4."~~

Sec. 259. Division I of Article 4 of Chapter 105 of the General Statutes is amended by adding a new section to read:

"§ 105-130.3A. Temporary surtax.

(a) Surtax. — In addition to the income tax imposed by G.S. 105-130.3, every taxpayer required to file a return under this Division shall pay an income tax surtax equal to a percentage of the tax payable by the taxpayer under G.S. 105-130.3 for the taxable year. This surtax is due at the time prescribed in G.S. 105-130.17 for filing corporation income tax returns.

(b) Rates. — The percentage rates of the surtax levied in this section are as follows:

- (1) For the taxpayer's taxable year beginning in 1991, four percent (4%).
- (2) For the taxpayer's taxable year beginning in 1992, three percent (3%).
- (3) For the taxpayer's taxable year beginning in 1993, two percent (2%).
- (4) For the taxpayer's taxable year beginning in 1994, one percent (1%)."

Sec. 260. G.S. 115C-546.1 reads as rewritten:

"§ 115C-546.1. Creation of Fund; administration.

(a) There is created the Public School Building Capital Fund. The Fund shall be used to assist county governments in meeting their public school building capital needs.

(b) Beginning October 1, 1987, and each month thereafter through July 31, 1988, the Secretary of Revenue shall deposit with the State Treasurer in the Public School Building Capital Fund one-seventh (1/7) of the corporate income tax net collections received during the previous month by the Department of Revenue under Division I of Article 4 of Chapter 105 of the General Statutes. Beginning July 1, 1988, the Each calendar quarter, the Secretary of Revenue shall, on a quarterly basis, deposit with shall remit to the State Treasurer in for credit to the Public School Building Capital Fund an amount equal to two thirty-firsts (2/31) of the net collections received during the previous quarter by the Department of Revenue under G.S. 105-130.3 minus two million five hundred thousand dollars (\$2,500,000). (\$2,500,000) less than one-fourteenth (1/14) of the corporate income tax net collections received during the previous quarter by the Department of Revenue under Division I of Article 4 of Chapter 105 of the General Statutes. All funds deposited in the Public School Building Capital Fund shall be invested as provided in G.S. 147-69.2 and G.S. 147-69.3.

(c) The Fund shall be administered by the Office of State Budget and Management."

Sec. 261. Notwithstanding G.S. 105-163.41, no addition to tax may be made under that statute for a taxable year beginning on or after January 1, 1991, and before January 1, 1992, with respect to an underpayment of corporation income tax to the extent the underpayment was created or increased by this act.

PART 48.-----CIGARETTE TAX CHANGES

Sec. 262. G.S. 105-113.5 reads as rewritten:

"§ 105-113.5. Privilege tax levied. Tax on cigarettes.

In addition to all other taxes and fees, a tax is hereby levied upon the sale or possession for sale within this State, by distributors, of all cigarettes at the rate of one mill per individual cigarette. A tax is levied on the sale or possession for sale in this State, by a distributor, of all cigarettes at the rate of two and one-half mills per individual cigarette.

The tax hereby levied shall not apply to This tax does not apply to any of the following:

- (1) Sample free distribution of sample cigarettes distributed without charge in packages containing five or fewer cigarettes nor to any cigarettes.
- (2) Cigarettes in a package of cigarettes customarily donated free of given without charge by manufacturers of cigarettes to employees in factories where cigarettes are manufactured in this State where such packages of cigarettes the manufacturer of the cigarettes to an employee of the manufacturer who works in a factory where cigarettes are made, if the cigarettes are not taxed by the federal government."

Sec. 263. G.S. 105-113.7 reads as rewritten:

"§ 105-113.7. Tax with respect to inventory on effective date of Article, tax increase.

Every person distributor subject to the taxes levied in G.S. 105-113.5 and G.S. 105-113.6 this Article who, on the effective date of a tax increase under this Article, has on hand any cigarettes shall file a complete inventory thereof of the cigarettes within 20 days thereafter, after the effective date of the increase, and shall pay an additional tax to the Secretary at the time of when filing such inventory a tax with respect thereto computed at the rate set forth in G.S. 105-113.5 and G.S. 105-113.6. All provisions of this Article relative to the collection, verification and administration of the tax herein imposed shall, insofar as pertinent, be applicable to the tax imposed by this section, but the affixing of stamps as evidence of the payment of such tax by persons subject to the taxes levied in G.S. 105-113.6 shall not be necessary except as the Secretary by regulation or administrative rule may require.

the inventory. The amount of tax due is the amount due based on the difference between the former tax rate and the increased tax rate."

PART 49.-----OTHER TOBACCO TAX CHANGES

Sec. 264. The heading to Article 2A of Chapter 105 of the General Statutes reads as rewritten:

"Schedule B-A. Cigarette Tobacco Products Tax."

Sec. 265. Article 2A of Chapter 105 of the General Statutes is amended as follows:

- (1) By designating G.S. 105-113.2 through G.S. 105-113.4 as Part 1 with the heading "General Provisions."
- (2) By designating G.S. 105-113.5 through G.S. 105-113.34 as Part 2 with the heading "Cigarette Tax."
- (3) By designating G.S. 105-113.35 through G.S. 105-113.40 as Part 3 with the heading "Tax on Other Tobacco Products."

Sec. 266. G.S. 105-113.2 reads as rewritten:

"§ 105-113.2. Short title.

This Article may be cited as the 'Cigarette Tobacco Products Tax Act' or 'Cigarette Tobacco Products Tax Article.'"

Sec. 267. G.S. 105-113.4 reads as rewritten:

"§ 105-113.4. Definitions.

The following words, terms, and phrases when used in this Article have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning; definitions apply in this Article:

- (1) Cigar. — A roll of tobacco wrapped in a substance that contains tobacco, other than a cigarette.
- (1) (1a) 'Cigarette' means — Cigarette. — Any of the following:
 - a. Any A roll of tobacco wrapped in paper or in any a substance that does not containing tobacco, and contain tobacco.
 - b. Any A roll of tobacco wrapped in any a substance containing that contains tobacco which, and that, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, to or purchased by, consumers by a consumer as a cigarette described in subparagraph (1) a above, subpart a. of this subdivision.
- (2) 'Secretary' means Secretary of Revenue of the State of North Carolina. Cost price. — The price a person liable for the tax on tobacco products imposed by Part 3 of this Article paid for the products, before any discount, rebate, or allowance or the tax imposed by that Part.
- (3) 'Distributor' means any Distributor. — Any person, wherever resident or located, who purchases unstamped cigarettes directly from the manufacturer thereof and stores, sells or otherwise disposes of the same; and also any person who manufactures or produces cigarettes or causes them to be manufactured or produced.
- (4) 'In this State' or 'within this State' means within the exterior limits of the State of North Carolina, and includes all territory within such limits owned by, leased by or ceded to the United States of America.
- (5) 'Licensed distributor' means any distributor, as defined in this Article, Licensed distributor. — A distributor licensed under the provisions Part 2 of this Article.
- (6) 'Manufacturer' means any Manufacturer. — A person engaged in the manufacture or production of cigarettes, who manufactures or produces tobacco products.
- (7) 'Package' means the Package. — The individual packet, can, box box, or other container used to contain and to convey cigarettes tobacco products to the consumer.

- (8) 'Person' means and includes any Person. — An individual, a firm, co-partnership, joint venture, a partnership, an association, a corporation, estate, trust, business trust, receiver, syndicate, or any other organization or group or combination acting as a unit, the State or any of its political subdivisions, and the plural as well as the singular number, unit.
- (9) 'Retail dealer' means any Retail dealer. — A person other than a distributor engaged in this State in the business of selling cigarettes at retail, who sells a tobacco product to the ultimate consumer of the product.
- (10) 'Selling' or 'sale' means any sale, transfer, exchange, barter, gift, or offer for sale and distribution, in any manner or by any means whatsoever. — A transfer, a trade, an exchange, or a barter, in any manner or by any means, with or without consideration.
- (10a) Secretary. — The Secretary of Revenue.
- (11) 'Stamp' means any Stamp. — Any impression, device, stamp, label-label, or print manufactured, printed, or made as prescribed by the Secretary under Part 2 of this Article.
- (11a) Tobacco product. — A cigarette, a cigar, or any other product that contains tobacco and is intended for inhalation or oral use.
- (12) 'Unstamped' means not Unstamped. — Not bearing a North Carolina cigarette tax stamp prescribed by the Secretary under this Article. — stamp.
- (13) 'Use' means the Use. — The exercise of any right or power over cigarettes, incident to the ownership or possession thereof, other than the making of a sale thereof in the course of engaging in a business of selling cigarettes and shall include cigarettes. The term includes the keeping or retention of cigarettes for use.
- (14) Wholesale dealer. — A person who makes tobacco products other than cigarettes or who acquires tobacco products other than cigarettes for sale to another wholesale dealer or to a retail dealer."

Sec. 268. G.S. 105-113.3 reads as rewritten:

"§ 105-113.3. Purpose- Scope of tax; administration.

It is hereby declared to be the intent and purpose of this Article that the incidence of the tax herein provided for shall rest upon the ultimate consumer and not upon the grower or processor of leaf tobacco or upon the manufacturer of cigarettes. This tax shall be paid to the State only once, regardless of the number of times the cigarettes may be sold in this State, but it is the intent of this Article that such tax shall be added to the sales price and passed on from successive sellers to successive purchasers so that it may be included in the ultimate purchase price of the final or last purchaser. The amount of the tax may be stated separately from the price of cigarettes on all price display signs, sales or delivery slips, bills and statements which advertise or indicate the price, but it is not required that it be stated in such manner or in any other manner. The provisions of this section shall in no way affect the assessment, levy or collection of the taxes provided for by this Article, as the same may be more specifically provided herein with respect to activities hereinafter described, but merely states the general intent with respect to this Article. (a) Scope. — The taxes imposed by this Article shall be collected only once on the same tobacco product. Except as permitted by Article 2 of this Chapter, a city or county may not levy a privilege license tax on the sale of tobacco products.

(b) Administration. — Except as provided in this section, Article 9 of this Chapter applies to this Article. If a person fails or refuses to pay a tax due under this Article, a penalty shall be added to the tax due in an amount equal to fifty percent (50%) of the tax due."

Sec. 269. G.S. 105-113.35 reads as rewritten:

"§ 105-113.35. Interest and penalty- Tax on tobacco products other than cigarettes.

If any person shall neglect, fail or refuse to pay any tax due under this Article, interest shall be added thereto at the rate established pursuant to G.S. 105-241.1(i) from the date due until paid and there shall also be added to said tax an amount equal

to fifty percent (50%) thereof. (a) Tax. — An excise tax is levied on tobacco products other than cigarettes at the rate of two percent (2%) of the cost price of the products. This tax does not apply to the following:

- (1) A tobacco product sold outside the State.
- (2) A tobacco product sold to the federal government.
- (3) A sample tobacco product distributed without charge.

(b) Primary Liability. — The wholesale dealer or retail dealer who first acquires or otherwise handles tobacco products subject to the tax imposed by this section is liable for the tax imposed by this section. A wholesale dealer or retail dealer who brings into this State a tobacco product made outside the State is the first person to handle the tobacco product in this State. A wholesale dealer or retail dealer who is the original consignee of a tobacco product that is made outside the State and is shipped into the State is the first person to handle the tobacco product in this State.

(c) Secondary Liability. — A retail dealer who acquires non-tax-paid tobacco products subject to the tax imposed by this section from a wholesale dealer is liable for any tax due on the tobacco products. A retail dealer who is liable for tax under this subsection may not deduct a discount from the amount of tax due when reporting the tax."

Sec. 270. G.S. 105-113.36 reads as rewritten:

"§ 105-113.36. General administrative provisions of Revenue Act applicable. Wholesale dealer and retail dealer must obtain license.

All provisions not inconsistent with this Article contained in Article 9 entitled "General Administration; Penalties and Remedies" of Subchapter I of Chapter 105 of the General Statutes, including but not limited to administration, auditing, making returns, promulgation of administrative rules and regulations by the Secretary, additional taxes, assessment procedure, imposition and collection of taxes of the lien thereof, assessments, refunds and penalties are hereby made a part of this Article and shall be applicable thereto.

A wholesale dealer shall obtain for each place of business a continuing tobacco products license and shall pay a tax of twenty-five dollars (\$25.00) for the license. A retail dealer shall obtain for each place of business a continuing tobacco products license and shall pay a fee of ten dollars (\$10.00) for the license. A 'place of business' is a place where a wholesale dealer or where a retail dealer makes tobacco products other than cigarettes or a wholesale dealer or a retail dealer receives or stores non-tax-paid tobacco products other than cigarettes."

Sec. 271. G.S. 105-113.37 reads as rewritten:

"§ 105-113.37. Secretary to make rules and regulations. Payment of tax.

Subject to the provisions of G.S. 105-262, the Secretary is hereby authorized and empowered to make all reasonable regulations and administrative rules necessary for the efficient administration and enforcement of this Article not inconsistent with the provisions of this Article. Upon request, he shall furnish any taxpayer with a copy of such rules and regulations. All provisions with respect to reviews and appeals from the Secretary's decisions as provided by G.S. 105-241.2, 105-241.3 and 105-241.4 of the General Statutes shall be applicable to this Article.

(a) Monthly Report. — Except for tax on a designated sale under subsection (b), the taxes levied by this Article are payable when a report is required to be filed. A report is due on a monthly basis. A monthly report covers sales and other activities occurring in a calendar month and is due within 20 days after the end of the month covered by the report. A report shall be filed on a form provided by the Secretary and shall contain the information required by the Secretary.

(b) Designation of Exempt Sale. — A wholesale dealer who sells a tobacco product to a person who has notified the wholesale dealer in writing that the person intends to resell the item in a transaction that is exempt from tax under G.S. 105-113.35(a)(1) or (2) may, when filing a monthly report under subsection (a), designate the quantity of tobacco products sold to the person for resale. A wholesale dealer shall report a designated sale on a form provided by the Secretary.

A wholesale dealer is not required to pay tax on a designated sale when filing a monthly report. The wholesale dealer shall pay the tax due on all other sales in accordance with this section. A wholesale dealer or a customer of a wholesale dealer may not delay payment of the tax due on a tobacco product by failing to pay tax on a sale that is not a designated sale or by overstating the quantity of tobacco products that will be resold in a transaction exempt under G.S. 105-113.35(a)(1) or (2).

A person who does not sell a tobacco product in a transaction exempt under G.S. 105-113.35(a)(1) or (2) after a wholesale dealer has failed to pay the tax due on the sale of the item to the person in reliance on the person's written notification of intent is liable for the tax and any penalties and interest due on the designated sale. If the Secretary determines that a tobacco product reported as a designated sale is not sold as reported, the Secretary shall assess the person who notified the wholesale dealer of an intention to resell the item in an exempt transaction for the tax due on the sale and any applicable penalties and interest. A wholesale dealer who does not pay tax on a tobacco product in reliance on a person's written notification of intent to resell the item in an exempt transaction is not liable for any tax assessed on the item.

(c) Refund. — A wholesale dealer or retail dealer who pays tax on a tobacco product that is exempt from the tax may obtain a refund for the amount of tax paid by filing an application for refund with the Secretary on a form provided by the Secretary. An application for a refund must be submitted within the time allowed by G.S. 105-266 or G.S. 105-266.1."

Sec. 272. G.S. 105-113.38 reads as rewritten:

"§ 105-113.38. ~~Tax to be paid only once. Bond.~~

Whenever the tax levied by this Article has been computed and paid to the State with respect to any cigarettes as provided by this Article, and appropriate stamps affixed, the same shall not be required to be paid again to the State regardless of how many times such cigarettes may thereafter be sold or resold, but the seller may add to his sales price thereafter the amount of such tax. The Secretary may require a wholesale dealer or a retail dealer to furnish a bond in an amount that adequately protects the State from loss if the dealer fails to pay taxes due under this Part. A bond shall be conditioned on compliance with this Part, shall be payable to the State, and shall be in the form required by the Secretary. The Secretary shall proportion a bond amount to the anticipated tax liability of the wholesale dealer or retail dealer. The Secretary shall periodically review the sufficiency of bonds required of dealers, and shall increase the amount of a required bond when the amount of the bond furnished no longer covers the anticipated tax liability of the wholesale dealer or retail dealer. The Secretary shall decrease the amount of a required bond when the Secretary determines that a smaller bond amount will adequately protect the State from loss."

Sec. 273. G.S. 105-113.39 reads as rewritten:

"§ 105-113.39. ~~Local units prohibited to tax. Discount.~~

No city, town or county shall levy any privilege license tax with respect to the sale of cigarettes other than as permitted by Article 2 of Subchapter I of Chapter 105 of the General Statutes.

A wholesale dealer or a retail dealer who is primarily liable under G.S. 105-113.35(b) for the excise taxes imposed by this Part and who files a timely report under G.S. 105-113.37 may deduct from the amount due with the report a discount of four percent (4%). This discount covers losses due to damage to tobacco products, expenses incurred in preparing the records and reports required by this Part, and the expense of furnishing a bond."

Sec. 274. G.S. 105-113.40 reads as rewritten:

"§ 105-113.40. ~~Effective date of this Article. Records of sales, inventories, and purchases to be kept.~~

This Article shall be in full force and effect on and after July 1, 1969, or on the first day of the month next after the ninetieth day from its ratification, whichever is the later date. However, the Secretary is authorized, prior to that time, to do all things necessary to the implementation of the provisions of this Article, including making regulations and administrative rules, procuring the manufacture of stamps, and

~~providing for sale of the same, in order to secure effective administration of this Article on and after its effective date. Every wholesale dealer and retail dealer shall keep accurate records of the dealer's purchases, inventories, and sales of tobacco products. These records shall be open at all times for inspection by the Secretary or an authorized representative of the Secretary."~~

PART 50.-----SOFT DRINK TAX ADMINISTRATIVE CHANGES

Sec. 275. G.S. 105-113.44 reads as rewritten:

"§ 105-113.44. Definitions.

~~As used in this Article, unless the context otherwise requires: The following definitions apply in this Article:~~

- (1) ~~'Base products' means hot chocolate flavored drink mix, flavored milk shake bases, concentrate products to which milk or other liquid is added to complete a soft drink, and all like items or products as herein defined which will be taxed as syrups. Base product. The compound mixture or basic ingredients to which liquid milk or another liquid is added to complete a soft drink. The term includes a powder, a simple syrup, a chocolate syrup, other syrups, and a concentrate.~~
- (2) ~~'Bottled' means enclosed in any closed or sealed glass, metal, paper or other type of bottle, can, carton or container, regardless of the size of such container. Bottled. In a closed container of any kind.~~
- (3) ~~'Soft drink' means any complete, finished, ready to use, nonalcoholic drink, whether carbonated or not, such as soda water, ginger ale, Nu-Grape, Coca-Cola, lime-cola, Pepsi-Cola, bud wine, near beer, fruit juice, vegetable juice, milk drinks when any flavoring or syrup is added, cider, carbonated water and all preparations commonly referred to as soft drinks of whatever kind or description.~~
- (4) ~~'Secretary' means the North Carolina Secretary of Revenue.~~
- (5) ~~'Crowns' means crowns, caps and lids bearing any tax indicia other than stamps evidencing the payment of the excise tax levied under this Article. 'Crowns' shall also include waxed paper or plastic containers used by dairies upon which the tax indicia has been imprinted by the manufacturer thereof.~~
- (6) ~~'Distributor' includes any person who manufactures, bottles, compounds, mixes or purchases for sale to retail dealers or wholesale dealers any bottled soft drink, soft drink syrup or powder, or base product for mixing, making or compounding soft drinks. Distributor. A person who makes bottled soft drinks or base products or who acquires bottled soft drinks or base products for sale to a wholesale dealer or a retail dealer.~~
- (7) ~~'Excise tax' means the soft drink tax levied under G.S. 105-113.45. Juice. Any of the following:~~
 - a. ~~The liquid that results from pressing fresh fruit or fresh vegetables.~~
 - b. ~~The concentrate produced by dehydrating a liquid described in subpart a.~~
 - c. ~~The liquid that results from adding water to a concentrate described in subpart b.~~
- (8) ~~'In this State' or 'within this State' means within the exterior limits of the State of North Carolina and includes all territory within such limits owned by, leased by or ceded to the United States of America. Milk. Any of the following:~~
 - a. ~~Liquid milk, regardless of butterfat content.~~
 - b. ~~The powder produced by dehydrating liquid milk.~~
 - c. ~~The liquid that results from adding water to dehydrated liquid milk.~~
- (9) ~~'Natural fruit juice' means the natural liquid which results from the pressing of sound ripe fruit, and the liquid which results from the reconstitution of natural fruit juice concentrate by the restoration of water to~~

- dehydrated natural fruit juice. Natural. Without added ingredients of any kind other than vitamins. Added ingredients include sugar, salt, preservatives, artificial flavoring, coloring, and carbonation.
- (10) 'Natural liquid milk' means natural liquid milk regardless of butterfat content, and the liquid milk product which results from the reconstitution of natural milk concentrate, regardless of butterfat content, by the restoration of water to dehydrated or evaporated natural milk.
- (11) 'Natural vegetable juice' means the natural liquid which results from the pressing of sound ripe vegetables or the liquid which results from the reconstitution of natural vegetable juice concentrate by the restoration of water to dehydrated natural vegetable juice.
- (12) 'Person' includes any Person. An individual, a firm, a partnership, joint venture, an association, a corporation, estate, trust, receiver, syndicate or any other organization or group or combination acting as a unit, the State or any of its political subdivisions, and the plural as well as the singular number, unit.
- (13) 'Powders' means compressed powders, crystals, granules or tablets from which soft drinks can be made. Powder. Crystals, granules, tablets, and other dry products.
- (14) 'Retail dealer' includes every person, other than a distributor or wholesale dealer, who makes, mixes, compounds or manufactures any drink from a soft drink syrup or powder or base product, and sells or otherwise dispenses the same to the ultimate consumer, and every person, other than a distributor or wholesale dealer, who sells or otherwise dispenses any bottled soft drink to the ultimate consumer. Retail dealer. A person who sells bottled soft drinks or base products to the ultimate consumer or who makes soft drinks from base products and sells the soft drinks to the ultimate consumer.
- (15) 'Selling' or 'sale' means any sale, transfer, exchange, barter, gift or offer for sale and distribution, in any manner or by any means whatsoever. Sale. A transfer, a trade, an exchange, or a barter, in any manner or by any means, with or without consideration.
- (16) 'Simple syrup' means the product resulting from the making, mixing, compounding or manufacturing by dissolving sugar and water or any other mixture that will create syrup to which may be added concentrates or extracts. Secretary. The Secretary of Revenue.
- (17) 'Soda fountain' includes all places where soft drinks are compounded for sale, including automatic vending machines. Soft drink. A beverage that is not an alcoholic beverage, as defined in G.S. 105-113.68.
- (18) 'Soft drink syrups and powders' includes the compound mixture or the basic ingredients, whether dry or liquid, practically and commercially usable in making, mixing or compounding soft drinks by the mixing thereof with carbonated or plain water, ice, fruit juice, milk or any other product suitable to make soft drinks, among such syrups being such products as Coca-Cola syrup, Chero-Cola syrup, Pepsi-Cola syrup, Dr. Pepper syrup, root beer syrup, Nu-Grape syrup, lemon syrup, vanilla syrup, chocolate syrup, cherry smash syrup, rock candy syrup, simple syrup, chocolate drink powder, malt drink powder, or any other prepared syrups or powders sold or used for the purpose of mixing soft drinks commercially at soda fountains, restaurants or similar places as well as those powder bases prepared for the purpose of domestically mixing soft drinks such as kool-aid, oh boy drink, tip-top, miracle aid and all other similar products. Concentrated natural frozen or unfrozen fruit juices or vegetable juices when used domestically are specifically excluded from this definition.

- (19) 'Stamp' means the North Carolina taxpaid stamp evidencing the payment of the excise tax levied by this Article, and which may be used as permitted by the Secretary in lieu of taxpaid crowns.
- (20) 'Wholesale dealer' includes any person who sells bottled soft drinks, soft drink syrups or powders, or base products for mixing, compounding or making soft drinks to retail dealers or other wholesale dealers for resale purposes. Wholesale dealer. A person who sells bottled soft drinks or base products to another for resale."

Sec. 276. G.S. 105-113.45 reads as rewritten:

"§ 105-113.45. Taxation rate. Excise taxes on soft drinks and base products.

(a) Bottled Soft Drinks. — A soft drink excise tax is hereby levied and imposed on and after midnight, September 30, 1969, upon the sale, use, handling and distribution of all soft drinks, soft drink syrups and powders, base products and other items referred to in this section. An excise tax of one cent (1¢) is levied on each bottled soft drink.

(b) The rate of tax on each bottled soft drink shall be one cent (1¢).

(c) Liquid Base Products. — The rate of tax on each gallon of soft drink syrup or simple syrup shall be one dollar (\$1.00), and on a fraction of a gallon the rate shall be an amount which represents one dollar (\$1.00) multiplied by the same fraction of a gallon. The rate of a tax on each ounce or fraction of an ounce of soft drink syrup or simple syrup shall be four fifths of a cent (4/5¢), and no exemption or refund shall be allowed on such syrup even though it may subsequently be diverted to some purpose other than the making of soft drinks. An excise tax of one dollar (\$1.00) a gallon, or four-fifths of a cent (4/5¢) an ounce or fraction of an ounce, is levied on a liquid base product. The tax applies regardless whether the liquid base product is diverted to and used for a purpose other than making a soft drink.

(d) Dry Base Products. — The rate of tax on dry soft drink powders and base products which are used to make soft drinks without being converted into syrup shall be one cent (1¢) per ounce or fraction thereof of the dry powder or base product weight. However, the tax on dry soft drink powder or base product which is to be converted into syrup shall be the same as that which would be due upon the syrup produced, if the syrup were being taxed according to the rates set out in subsection (c) above. An excise tax is levied on a dry base product at the rate:

- (1) Of one cent (1¢) an ounce or fraction of an ounce if the dry base product is not converted into a syrup or other liquid base product before it is used to make a soft drink.
- (2) That would apply under subsection (c) to the resulting liquid base product if the dry base product is converted into a liquid base product before it is used to make a soft drink.

(e) The excise tax herein levied on syrups, powders and base products shall not apply to syrups, powders and base products used by persons in the manufacture of bottled soft drinks which are otherwise subject to tax under this Article. The Secretary may by administrative rules or regulation, provide for the storage of such syrups, powders and base products when they are not for use in the manufacture of bottled soft drinks."

Sec. 277. G.S. 105-113.46 reads as rewritten:

"§ 105-113.46. Exemption of certain milk drinks. Exemptions.

The taxes imposed by this Article do not apply to an item that is listed in this section and, if the item is a bottled soft drink or a juice concentrate included in subdivision (2) or (3), is registered with the Secretary in accordance with G.S. 105-113.47:

- (1) A natural liquid milk drink produced by a farmer or a dairy.
- (2) A bottled soft drink that contains at least thirty-five percent (35%) natural milk measured by volume and is not exempt under subdivision (1).
- (3) Natural juice.
- (4) Natural water.

- (5) A base product used to make a bottled soft drink subject to tax under this Article.
- (6) Coffee or tea in any form.
- (7) A bottled soft drink or base product sold outside the State.
- (8) A bottled soft drink or base product sold to the federal government.
- (9) A base product for domestic use, except a base product that does not contain any milk and to which a liquid other than milk is added to make a soft drink.

All natural liquid milk drinks produced by farmers or dairies shall be exempt from the payment of the soft drink excise tax. Where a product other than the above is produced, such product is subject to the tax unless otherwise exempt under this Article."

Sec. 278. G.S. 105-113.47 reads as rewritten:

"§ 105-113.47. ~~Natural fruit or vegetable juice or natural liquid milk drinks exempted from tax.~~ Registration of certain exempt bottled soft drinks and juice concentrates.

(a) Requirement. — All bottled soft drinks containing thirty-five percent (35%) or more of natural fruit or vegetable juice and all bottled natural liquid milk drinks containing thirty-five percent (35%) or more of natural liquid milk, are exempt from the excise tax imposed by this Article, except that this exemption shall not apply to any fruit or vegetable juice drink to which has been added any coloring, artificial flavoring or preservative. Sugar, salt or vitamins shall not be construed to be an artificial flavor or preservative. To be exempt from the tax imposed by this Article, the following items must be registered with the Secretary as an exempt item:

- (1) A bottled soft drink that contains at least thirty-five percent (35%) natural milk measured by volume and is not exempt under G.S. 105-113.46(1).
- (2) A natural juice bottled soft drink.
- (3) A natural juice concentrate.

To register an item as exempt, the person who controls the brand name or formula of the item must file an application for registration with the Secretary on a form provided by the Secretary. An application must include an affidavit stating the complete and itemized formula by volume of the bottled soft drink or juice concentrate that is the subject of the application.

(b) Determination. — Any bottled soft drink for which exemption is claimed under this section must be registered with the Secretary. No bottled soft drink shall be entitled to the exemption until registration has been accomplished by the filing of an application for exemption on such form as may be prescribed by the Secretary, which form shall include an affidavit setting forth the complete and itemized formula by volume of the drink therein referred to, and the failure to submit such affidavit shall be prima facie evidence that such bottled soft drink is not exempt. All bottled soft drinks which are not so registered and do not have affixed thereto the proper stamps or crowns shall be subject to confiscation. The Secretary or his duly authorized representative may at any time check the formulas or the manufacturing of such bottled soft drinks for which exemption is claimed under this section and in addition thereto, the Secretary or his duly authorized representative may at any time take samples of any product for which exemption has been claimed, from any and all persons offering such product for sale for the purpose of ascertaining by analysis the contents thereof. The sample shall be clearly marked for identification and such sample may be turned over to any registered chemist designated by the Secretary for the purpose of analysis. If such investigation establishes that such bottled soft drink contains less than thirty-five percent (35%) by volume of natural fruit juice, natural vegetable juice or natural liquid milk, or if any person engaged in selling, manufacturing, purchasing, consigning, using, shipping or distributing for the purpose of sale within this State who has applied for an exemption hereunder fails or refuses to allow the Secretary or his duly authorized representative to check the formulas or inspect the manufacturing of such bottled soft drinks, the excise tax imposed by this Article shall

apply to all sales of such products and all such products offered for sale and not properly stamped shall be subject to confiscation until such person permits the Secretary to examine the formulas or inspect the manufacturing of such bottled soft drinks. The Secretary shall determine whether a bottled soft drink or a juice concentrate for which an application for registration is filed meets the criteria for exemption. To make the determination, the Secretary or a representative of the Secretary may require the person who filed the registration application for the item or anyone who sells the item in this State to provide a sample of the item and may have the sample analyzed by a chemist to verify the accuracy of the submitted formula.

(c) No Disclosure. — Except as required by law or allowed under this subsection, in accordance with proper judicial order or as otherwise provided by law, it shall be unlawful for the Secretary or any deputy, agent, clerk or other officer or employee or any other person acting in a confidential relationship with an agent or employee of the Secretary to divulge or make known in any manner any formula or any particulars of any may not disclose part or all of the formula of an item pertaining to any drink hereinabove referred to, for which an application for registration is filed. However, such prohibition shall not be construed to prohibit the publication of whether or not such bottled soft drinks contain thirty-five percent (35%) or more of natural fruit or vegetable juice or thirty-five percent (35%) or more of natural liquid milk, nor shall it be construed to prohibit the inspection by the Attorney General or other legal representative of the State of the formula of any taxpayer who shall bring action to set aside or review the tax base thereon or against whom an action or proceeding has been instituted to recover any tax imposed by this Article. The Secretary may disclose whether an item meets the exemption criteria and the Attorney General or other legal representative of the State may examine the formula for an item if the grant or denial of an exemption for the item is challenged.

(d) Effect. — Where any product for which exemption is claimed under this section is found to contain less than thirty-five percent (35%) by volume of natural fruit juice, natural vegetable juice, or natural liquid milk, the excise tax imposed by this Article shall apply to all sales of such product, and all such products offered for sale and not properly stamped shall be subject to confiscation. Registration as an exempt item applies prospectively to sales of the registered bottled soft drink or registered juice concentrate made on or after the date of registration. Registration does not relieve a person of liability for taxes due on sales made before the date an item is registered.

Sec. 279. G.S. 105-113.50 reads as rewritten:

“§ 105-113.50. Soft drink licenses required.

(a) Distributors and Wholesale Dealers. — Distributors and wholesale dealers shall obtain for each place of business a continuing soft drink license for which a fee of twenty-five dollars (\$25.00) shall be paid. For the purpose of this section, subsection, ‘place of business’ means any place where a distributor makes bottled soft drinks or base products are manufactured by a distributor, or any place where unstamped bottled soft drinks, soft drink syrups and powders, base products and other items taxed under this Article are received or stored by a distributor or wholesale dealer. a distributor or a wholesale dealer receives or stores non-tax-paid bottled soft drinks or non-tax-paid base products.

(b) Out-of-state distributors and wholesale dealers may obtain appropriate distributors’ or wholesale dealers’ licenses upon compliance with the provisions of this Article and such regulations and administrative rules as may be issued by the Secretary hereunder, for which a fee of twenty-five dollars (\$25.00) shall be paid for each such soft drink license.

(c) Retail Dealers. — Each retail dealer manufacturing or purchasing not previously taxed syrups, powders or base products shall secure Retail dealers shall obtain for each place of business a continuing soft drink license for which a fee of five dollars (\$5.00) shall be paid for each place of business at which such unstamped syrups, powders or base products are received or at which place such retail dealer manufactures them. paid. For the purpose of this subsection, ‘place of business’

means any place where a retail dealer receives non-tax-paid bottled soft drinks or non-tax-paid base products or makes bottled soft drinks or base products.

(d) Distributors, wholesale dealers and retail dealers licensed under this section shall file such reports with the Secretary as he may require not later than the fifteenth day of each month showing transactions for the preceding month."

Sec. 280. G.S. 105-113.50A reads as rewritten:

"§ 105-113.50A. Local taxation.

Except as authorized by G.S. 105-79, no county, city or town shall levy any 105-102.5(e), a county or city may not levy a privilege license tax upon the business of bottling, manufacturing, producing, purchasing, selling at wholesale or retail, jobbing, consigning, using, shipping shipping, or distributing for the purpose of sale within this State bottled soft drinks in bottles or other closed containers, drinks or base products."

Sec. 281. G.S. 105-113.51 reads as rewritten:

"§ 105-113.51. Affixing of crowns and stamps to containers; crowns and stamps not transferable. Liability for and payment of excise taxes.

(a) Any bottled soft drink offered for sale shall within 24 hours of its manufacture or receipt in this State have affixed to it a North Carolina taxpaid stamp or a North Carolina taxpaid crown at the rate provided for in this Article, unless the tax has been or will be paid according to some other method available under the provisions of this Article.

(b) The distributor or dealer who first distributes, sells, uses, consumes or handles bottled soft drinks, syrups, powders, base products and other items subject to the soft drink excise tax is subject to the tax unless taxpaid stamps or crowns have previously been affixed. The distributor, wholesale dealer or retail dealer, or any person who is the original consignee of any bottled soft drink, soft drink syrup, powder, base product or other item subject to the soft drink excise tax manufactured or produced outside this State, or who brings such into this State, shall pay the excise tax.

(c) Taxpaid stamps shall be affixed to each individual container of soft drink syrups, powders, and base products by wholesale dealers or distributors within 48 hours after such syrups, powders, or base products are received or made by them and by retail dealers within 24 hours after such syrups, powders or base products are received by them, and in any event the containers must be stamped before such products are used in the preparation of soft drinks.

(d) The payment of the excise tax provided for in this Article shall be evidenced by the affixing of taxpaid stamps or crowns to the original containers and the stamps and crowns provided for in this Article shall not be transferable to any person other than their original purchaser.

(e) Notwithstanding any other provision of this Article, the excise tax levied upon powders, as herein defined, may be made and evidenced in accordance with rules and regulations of the Secretary.

(a) Primary Liability. — The distributor, wholesale dealer, or retail dealer who first distributes, sells, consumes, or otherwise handles bottled soft drinks or base products in this State is liable for the tax imposed by this Article. A distributor, wholesale dealer, or retail dealer who brings into this State a bottled soft drink or base product made outside the State is the first person to handle the bottled soft drink or base product in this State. A distributor, wholesale dealer, or retail dealer who is the original consignee of a bottled soft drink or base product that is made outside the State and is shipped into the State is the first person to handle the bottled soft drink or base product in this State.

(b) Secondary Liability. — A retail dealer who acquires non-tax-paid bottled soft drinks or non-tax-paid base products from a distributor or a wholesale dealer is liable for any tax due on the bottled soft drinks or base products. A retail dealer who is liable for tax under this subsection may not deduct a discount from the amount of tax due when reporting the tax.

(c) Monthly Report. — Except for tax on a designated sale under subsection (d), the taxes levied by this Article are payable when a report is required to be filed. A

report is due on a monthly basis. A monthly report covers sales and other activities occurring in a calendar month and is due within 15 days after the end of the month covered by the report. A report shall be filed on a form provided by the Secretary and shall contain the information required by the Secretary.

(d) Designation of Exempt Sale. — A distributor or a wholesale dealer who sells a bottled soft drink or a base product to a person who has notified the distributor or wholesale dealer in writing that the person intends to resell the item in a transaction that is exempt from tax under G.S. 105-113.46(7) or (8) may, when filing a monthly report under subsection (c), designate the quantity of bottled soft drinks or base products sold to the person for resale. A distributor or wholesale dealer shall report a designated sale on a form provided by the Secretary.

A distributor or a wholesale dealer is not required to pay tax on a designated sale when filing a monthly report. The distributor or wholesale dealer shall pay the tax due on all other sales in accordance with this section. A distributor, a wholesale dealer, or a customer of a distributor or wholesale dealer may not delay payment of the tax due on a bottled soft drink or base product by failing to pay tax on a sale that is not a designated sale or by overstating the quantity of bottled soft drinks or base products that will be resold in a transaction exempt under G.S. 105-113.46(7) or (8).

A person who does not sell a bottled soft drink or base product in a transaction exempt under G.S. 105-113.46(7) or (8) after a distributor or a wholesale dealer has failed to pay the tax due on the sale of the item to the person in reliance on the person's written notification of intent is liable for the tax and any penalties and interest due on the designated sale. If the Secretary determines that a bottled soft drink or a base product reported as a designated sale is not sold as reported, the Secretary shall assess the person who notified the distributor or wholesale dealer of an intention to resell the item in an exempt transaction for the tax due on the sale and any applicable penalties and interest. A distributor or a wholesale dealer who does not pay tax on a bottled soft drink or base product in reliance on a person's written notification of intent to resell the item in an exempt transaction is not liable for any tax assessed on the item.

(e) Refund. — A distributor, a wholesale dealer, or a retail dealer who pays tax on a bottled soft drink or a base product that is exempt from the tax may obtain a refund for the amount of tax paid by filing an application for refund with the Secretary on a form provided by the Secretary. An application for a refund must be submitted within the time allowed by G.S. 105-266 or G.S. 105-266.1."

Sec. 282. G.S. 105-113.52 reads as rewritten:

"§ 105-113.52. Taxpaid stamps; rules and regulations; cancellation; discount. Tax reduction and discount.

(a) The Secretary shall make arrangements with some manufacturer to manufacture the taxpaid stamps provided for in this Article. The Secretary shall prescribe the form, design, denominations and such other matters as may be necessary with respect to said stamps. The Secretary may sell such stamps directly to taxpayers and may also make arrangements for release of taxpaid stamps to taxpayers by the manufacturer. Said manufacturer shall furnish such bond as the Secretary may deem advisable, in such penalty and upon such conditions as in the opinion of the Secretary will adequately protect the State in the collection of the excise tax imposed by this Article. Such bond shall be executed by the manufacturer as principal and by an indemnity company licensed to do business under the insurance laws of this State, as surety. The costs of manufacture, transportation and distribution of said stamps shall be computed in accordance with administrative rules or regulations of the Secretary and payment thereof pursuant to such rules and regulations of the Secretary may be required in addition to the amount of taxes which said stamps evidence regardless of whether said stamps are released or distributed by the Secretary or by the manufacturer pursuant to authorization from the Secretary.

(b) Upon the sale of taxpaid stamps, the Secretary shall allow a discount of five percent (5%) of the entire amount of any sale of fifty dollars (\$50.00) or more of said stamps. On sales of stamps of less than fifty dollars (\$50.00), no discount shall be

allowed. Such discount shall apply only to the tax and not the manufacturer's price or transportation or distribution costs.

(c) When stamps are attached to bottled soft drinks, or to containers of soft drink powders or base products, no cancellation or obliteration of them shall be required, but stamps affixed to containers of syrup to be used at soda fountains shall be canceled by the person affixing them by writing or stamping with ink or indelible pencil across the stamps his initials or name and the date on which the stamps were affixed. When the container to which the stamp has been affixed has been emptied, the stamp must be obliterated by making at least three incisions crisscross through the stamp with a knife or other sharp instrument.

(d) Any person who makes use of any stamp to denote the payment of the tax imposed by this Article without canceling or obliterating such stamps if required to do so by this section shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars (\$100.00) or be imprisoned for not more than 30 days for each offense.

(a) Tax Reduction. — The tax on the first 15,000 gross of bottled soft drinks sold at wholesale on or after October 1 of each year by a distributor or wholesale dealer who is liable for the tax is seventy-two cents (72¢) a gross rather than the amount stated in G.S. 105-113.45. When reporting tax due on bottled soft drinks to which this reduced rate applies, a distributor or wholesale dealer shall pay the reduced amount.

(b) Discount. — A distributor, a wholesale dealer, or a retail dealer who is liable for the excise taxes on bottled soft drinks or base products and who files a timely report under G.S. 105-113.51 may deduct from the amount due with the report a discount of four percent (4%). This discount covers losses due to spoilage and breakage, expenses incurred in preparing the records and reports required by this Article, and the expense of furnishing a bond. The discount does not apply to taxes paid at the rate set in subsection (a)."

Sec. 283. G.S. 105-113.53 reads as rewritten:

"§ 105-113.53. ~~Stamps not required when crowns used.~~ Bonds.

If a distributor of bottled soft drinks either within or without the State shall use taxpaid crowns as hereinafter provided, such distributor shall be relieved of the duty of affixing taxpaid stamps to each individual bottle. Whenever the Secretary deems it to be advantageous for the effective and efficient enforcement of this Article, he may require that such crowns be used in lieu of stamps. The Secretary may require a distributor, a wholesale dealer, or a retail dealer to furnish a bond in an amount that adequately protects the State from loss if the distributor or dealer fails to pay taxes due under this Article. A bond shall be conditioned on compliance with this Article, shall be payable to the State, and shall be in the form required by the Secretary. The Secretary shall proportion a bond amount to the anticipated tax liability of the distributor, wholesale dealer, or retail dealer. The Secretary shall periodically review the sufficiency of bonds required of distributors, wholesale dealers, and retail dealers and shall increase the amount of a required bond when the amount of the bond furnished no longer covers the anticipated tax liability of the distributor or dealer. The Secretary shall decrease the amount of a required bond when the Secretary determines that a smaller bond amount will adequately protect the State from loss."

Sec. 284. G.S. 105-113.57 reads as rewritten:

"§ 105-113.57. Records required of ingredients received.

Every person engaged in the business of making, mixing or compounding bottled soft drinks, soft drink syrups and powders, base products and other items taxed under this Article shall keep a distinct, legible and permanent record of all extracts, flavoring, sugar, syrup or other ingredients except water received by him that may be useful in making, mixing or compounding soft drinks, and he making bottled soft drinks or base products shall keep a record of the ingredients purchased to make the bottled soft drinks or base products and shall retain invoices on all such the purchases for a period of not less than three years from the date thereof. Such records shall show the quantity of such commodities received, the date of receipt thereof at least

three years. The records shall show the quantity of ingredients purchased, the date received, and the name of the person from whom they were secured or received and shall be open at all times for inspection by the Secretary or his duly authorized representative. received. The records shall be open at all times for inspection by the Secretary or a representative of the Secretary."

Sec. 285. G.S. 105-113.58 reads as rewritten:

"§ 105-113.58. Records of ~~sale~~ sales, inventories, and purchases to be kept.

Every distributor, wholesale ~~dealer~~ dealer, and retail dealer shall keep an accurate ~~account of all daily sales, sales slips, bills, invoices, delivery slips, statements, bills of lading, freight bills, credit memoranda and similar documents for a period of not less than three years from the date shown thereon. All such records of the distributor's or dealer's purchases, inventories, and sales of bottled soft drinks and base products. These records shall be kept for three years and shall be open at all times for inspection by the Secretary or his duly an authorized representative. representa-~~ tive of the Secretary."

Sec. 286. G.S. 105-113.43, 105-113.48, 105-113.49, 105-113.54 through 105-113.56C, 105-113.59 through 105-113.62, 105-113.66, and 105-113.67 are repealed.

Sec. 287. The Secretary of Revenue shall redeem any unused or mutilated but identifiable tax stamps or crowns purchased pursuant to Article 2B of Chapter 105 of the General Statutes that a taxpayer presents for redemption and shall refund the face value of the stamps or crowns, less the discount allowed at the time of the purchase of the stamps or crowns by the taxpayer.

Sec. 288. The Secretary of Revenue shall review the registrations of bottled soft drinks and juice concentrates made under G.S. 105-113.47 before the effective date of this Part. The Secretary shall notify those registrants who no longer appear to meet the exemption criteria that, for the bottled soft drink or juice concentrate to continue to be exempt from the excise tax imposed by Article 2B of Chapter 105 of the General Statutes, a new registration application must be submitted. The excise tax imposed by Article 2B of Chapter 105 of the General Statutes applies to a previously registered bottled soft drink or juice concentrate unless the Secretary determines from the new application that the bottled soft drink or juice concentrate continues to meet the exemption criteria.

PART 51.-----INSURANCE TAX CHANGES AND REGULATORY CHARGE

Sec. 289. Article 6 of Chapter 58 of the General Statutes is amended by adding a new section to read:

"§ 58-6-25. Insurance regulatory charge.

(a) Charge Levied. There is levied on each insurance company an annual charge to defray the cost to the Department of regulating the insurance industry and other industries and the general administrative expenses of the State incident thereto. As used in this section, the term 'insurance company' means a company that pays the gross premiums tax levied in G.S. 105-228.5 and G.S. 105-228.8, except that the term does not include a hospital, medical, or dental service corporation regulated under Articles 65 and 66 of this Chapter. The term 'insurance company' does not include a company regulated under Article 67 of this Chapter. The charge levied in this section is in addition to all other fees and taxes. The charge shall be at a percentage rate of the company's premium tax liability for the taxable year. In determining an insurance company's premium tax liability for a taxable year, additional taxes imposed by G.S. 105-228.8 shall be disregarded.

(b) Rates. The rate of the charge for the 1991 taxable year shall be six and five-tenths percent (6.5%). For subsequent taxable years, the rate shall be the percentage rate established by the General Assembly. When the Department prepares its budget request for each upcoming fiscal year, the Department shall propose a percentage rate of the charge levied in this section. The Governor shall submit that proposed rate to the General Assembly each fiscal year. The General Assembly shall

set by law the percentage rate of the charge levied in this section. The percentage rate may not exceed the rate necessary to generate funds sufficient to defray the estimated cost of the operations of the Department for each upcoming fiscal year, including a reasonable margin for a reserve fund. The amount of the reserve may not exceed one-third of the estimated cost of operating the Department for each upcoming fiscal year. In calculating the amount of the reserve, the General Assembly shall consider all relevant factors that may affect the cost of operating the Department or a possible unanticipated increase or decrease in North Carolina premiums or other charge revenue.

(c) Returns: When Payable. The charge levied on each insurance company is payable at the time the insurance company remits its premium tax. If the insurance company is required to remit installment payments of premiums tax under G.S. 105-228.5 for a taxable year, it shall also remit installment payments of the charge levied in this section for that taxable year at the same time and on the same basis as the premium tax installment payments. Each installment payment shall be equal to at least thirty-three and one-third percent (33.3%) of the insurance company's regulatory charge liability incurred in the immediately preceding taxable year.

Every insurance company shall, on or before the date the charge levied in this section is due, file a return on a form prescribed by the Commissioner. The report shall state the company's total North Carolina premiums for the taxable year and shall be accompanied by any supporting documentation that the Commissioner may by rule require.

(d) Use of Proceeds. The Department of Insurance Fund is created in the State treasury. The proceeds of the charge levied in this section and all fees collected under Articles 69 through 71 of this Chapter and under Articles 9 and 9C of Chapter 143 of the General Statutes shall be credited to the Fund. The Fund shall be placed in an interest-bearing account and any interest or other income derived from the Fund shall be credited to the Fund. Moneys in the Fund may be spent only pursuant to appropriation by the General Assembly. The Fund is subject to the provisions of the Executive Budget Act, except that no unexpended surplus of the Fund shall revert to the General Fund. All money credited to the Fund shall be used only to pay the expenses of the Commissioner and the Department that are incurred in regulating the insurance industry and other industries in this State and the general administrative expenses of the State incident thereto."

Sec. 290. Notwithstanding the provisions of G.S. 58-6-25, as enacted by this act, each insurance company subject to the charge levied under G.S. 58-6-25 who must pay an installment payment of the premium tax levied under G.S. 105-228.5 and G.S. 105-228.8 for the 1991 taxable year shall pay an installment payment of the charge levied in G.S. 58-6-25 for the 1991 taxable year on or before October 15, 1991. This installment payment shall be equal to three and twenty-five hundredths percent (3.25%) of the company's premium tax liability for the immediately preceding taxable year. The balance of the charge imposed for the 1991 taxable year shall be remitted by March 15, 1992.

Sec. 291. G.S. 105-228.8(e) reads as rewritten:

"(e) This section shall not apply to special purpose obligations or assessments based on premiums imposed in connection with particular kinds of insurance, to the special purpose regulatory charge imposed under G.S. 58-6-25, or to dedicated special purpose taxes based on premiums. For purposes of this section, seventy-five percent (75%) of the one and thirty-three hundredths percent (1.33%) tax on amounts collected on contracts of insurance applicable to fire and lightning coverage shall not be a special purpose obligation or assessment or a dedicated special purpose tax within the meaning of this subsection."

Sec. 292. G.S. 58-69-40 reads as rewritten:

"§ 58-69-40. Disposition of fees.

In the event an application for license filed hereunder is not approved, the Commissioner shall retain ten dollars (\$10.00) of the fee paid to him in connection with ~~said application, the application~~ and return the balance to the applicant. All fees

collected by the Commissioner ~~hereunder shall be available to the Department of Insurance for paying the expense incurred in connection with the administration of this Article, under this Article shall be credited to the Department of Insurance Fund created under G.S. 58-6-25.~~"

Sec. 293. G.S. 58-70-45 reads as rewritten:

"§ 58-70-45. Disposition of permit fees.

All permit fees collected ~~hereunder under this Article~~ shall be credited to the ~~account of the Commissioner for the specific purpose of providing the personnel, equipment and supplies necessary to enforce this Article, but the State Budget Officer shall have the right to budget the revenues received in accordance with the requirements of the Commissioner for the purposes herein required, and at the end of the fiscal year, if any sum whatever shall remain to the credit of the Commissioner, derived from the sources herein referred to, the same shall revert to the general treasury of the State to be appropriated as other funds.~~ Department of Insurance Fund created under G.S. 58-6-25."

Sec. 294. G.S. 58-71-180 reads as rewritten:

"§ 58-71-180. Disposition of fees.

Fees collected by the Commissioner pursuant to this Article shall be ~~paid into the general fund of the State, credited to the Department of Insurance Fund created under G.S. 58-6-25.~~"

Sec. 295. Article 9C of Chapter 143 of the General Statutes is amended by adding a new section to read:

"§ 143-151.21. Disposition of fees.

Fees collected by the Commissioner under this Article shall be credited to the Department of Insurance Fund created under G.S. 58-6-25."

Sec. 296. The Commissioner of Insurance shall, from time to time as the balance of the Fund in G.S. 58-6-25 attains levels sufficient to carry out the purposes in G.S. 58-6-25, transfer money from the Department of Insurance Fund to the General Fund to repay the money appropriated to the Department of Insurance from the General Fund for the 1991-92 fiscal year, plus accrued interest at a rate determined by the State Treasurer from the date the money is withdrawn from the General Fund.

Sec. 297. G.S. 105-228.5 reads as rewritten:

"§ 105-228.5. Taxes measured by gross premiums.

Every insurance company and every Articles 65 and 66 of Chapter 58 corporation shall pay to the Commissioner of Insurance, at the time and rates provided in this section, a tax measured by gross premiums from business done in this State during the preceding calendar year, or, for Articles 65 and 66 of Chapter 58 corporations, a tax measured by gross collections from membership dues, exclusive of receipts from cost plus plans, received by such corporations during the preceding calendar year.

Gross premiums from business done in this State in the case of life insurance and annuity contracts, including any supplemental contracts thereto providing for disability benefits, accidental death benefits, or other special benefits, shall for the purposes of the taxes levied in this section mean any and all premiums collected in the calendar year (other than for contracts for reinsurance) for policies the premiums on which are paid by or credited to persons, firms or corporations resident in this State, or in the case of group policies for any contracts of insurance covering persons resident within this State, with no deduction for considerations paid for annuity contracts which are subsequently returned except as below specified, and with no other deduction whatsoever except for premiums returned under one or more of the following conditions: premiums refunded on policies rescinded for fraud or other breach of contract; premiums which were paid in advance on life insurance contracts and subsequently refunded to the insured, premium payer, beneficiary or estate; and in the case of group annuity contracts the premiums returned by reason of a change in the composition of the group covered. Said gross premiums shall be deemed to have been collected for the amounts as provided in the policy contracts for the time in force during the year, whether satisfied by cash payment, notes, loans, automatic premium loans, applied dividend or in any other manner whatsoever, except in the case

of premiums waived by any of said companies pursuant to a contract for waiver of premium in case of disability.

An insurer, in computing its premium taxes, shall pay premium taxes on a premium for the purchase of annuities at the time the contract holder elects to commence annuity benefits, instead of at the time the premium is collected.

Every insurer, in computing the premium tax, shall exclude from the gross amount of premiums all premiums received on or after July 1, 1973, from policies or contracts, issued in connection with the funding of a pension, annuity or profit-sharing plan, qualified or exempt under sections 401, 403, 404, 408, 457 or 501 of the Code as defined in G.S. 105-134.1(1) and the gross amount of all such premiums shall be exempt from the tax levied by this section.

Gross premiums from business done in this State in the case of contracts for fire insurance, casualty insurance, and any other type of insurance except life and annuity contracts as above specified, including contracts of insurance required to be carried by the Workers' Compensation Act, shall for the purposes of the taxes levied in this section mean any and all premiums written during the calendar year, or the equivalent thereof in the case of self-insurers under the Workers' Compensation Act, for contracts covering property or risks in this State, other than for contracts of reinsurance, whether such premiums are designated as premiums, deposits, premium deposits, policy fees, membership fees, or assessments. Gross premiums shall be deemed to have been written for the amounts as provided in the policy contracts, new and renewal, becoming effective during the year irrespective of the time or method of making payment or settlement for such premiums, and with no deduction for dividends whether returned in cash or allowed in payment or reduction of premiums or for additional insurance, and without any other deduction except for return of premiums, deposits, fees or assessments for adjustment of policy rates or for cancellation or surrender of policies.

In determining the amount of gross premiums from business in this State all gross premiums received in this State, or credited to policies written or procured in this State, or derived from business written in this State shall be deemed to be for contracts covering persons, property or risks resident or located in this State except for such premiums as are properly reported and properly allocated as being received from business done in some other nation, territory, state or states, and except for premiums from policies written in federal areas for persons in military service who pay premiums by assignment of service pay.

The tax rate to be applied to gross premiums collected on contracts applicable to liabilities under the Workers' Compensation Act shall be two and five-tenths percent (2.5%). The tax rate to be applied to gross premiums collected on annuities and all other insurance contracts issued by insurers shall be ~~one and seventy-five hundredths percent (1.75%)~~. one and eight hundred seventy-five thousandths percent (1.875%) for taxable years beginning on or after January 1, 1991, and before January 1, 1992, and one and nine-tenths percent (1.9%) for taxable years beginning on or after January 1, 1992. The tax rate to be applied to amounts collected on contracts of insurance applicable to fire and lightning coverage (except marine and automobile policies) shall be one and thirty-three hundredths percent (1.33%) in addition to the ~~one and seventy-five hundredths percent (1.75%)~~ above tax. Twenty-five percent (25%) of the net proceeds of the one and thirty-three hundredths percent (1.33%) tax on amounts collected on contracts of insurance applicable to fire and lightning coverage shall be deposited in the Rural Volunteer Fire Department Fund established in Articles 84 through 88 of Chapter 58 of the General Statutes. Effective July 1, 1988, the tax rate to be applied to gross premiums and/or gross collections from membership dues, exclusive of receipts from cost plus plans, received by Articles 65 and 66 of Chapter 58 corporations shall be one-half of one percent (1/2 of 1%).

The taxes levied herein measured by premiums and/or membership dues shall be in lieu of all other taxes upon insurance companies except: ~~fees and licenses fees, charges, and licenses~~ under this Article, or as specified in Articles 1 through 64 of

Chapter 58 of the General Statutes of North Carolina as amended; taxes imposed by Articles 84 through 88 of Chapter 58 of the General Statutes of North Carolina; taxes imposed by Article 5 of Chapter 105 of the General Statutes of North Carolina as amended; and ad valorem taxes upon real property and personal property owned in this State.

For the tax above levied as measured by gross premiums and/or gross collections from membership dues exclusive of receipts from cost plus plans the president, secretary, or other executive officer of each insurance company and Articles 65 and 66 of Chapter 58 corporation doing business in this State shall within the first 15 days of March file with the Commissioner of Insurance a full and accurate report of the total gross premiums as above defined or the total gross collections from membership dues exclusive of receipts from cost plus plans collected in this State during the preceding calendar year. The report shall be in such form and contain such information as the Commissioner of Insurance may specify, and the report shall be verified by the oath of the company official transmitting the same or by some principal officer at the home or head office of the company or association in this country. At the time of making such report the taxes above levied with respect to the gross premiums or the gross collections from membership dues shall be paid to the Commissioner of Insurance. The provisions above shall likewise apply as to reports and taxes for any firm, corporation, or association exchanging reciprocal or interinsurance contracts, and said reports and taxes shall be transmitted by their attorneys-in-fact.

Insurance companies and Articles 65 and 66 of Chapter 58 corporations subject to the tax imposed by this section with a premium tax liability of ten thousand dollars (\$10,000) or more for business done in North Carolina during the immediately preceding year shall remit three equal quarterly installments with each installment equal to at least ~~twenty-seven and one-half percent (27 1/2%)~~ thirty-three and one-third percent (33 1/3%) of the premium tax liability incurred in the immediately preceding taxable year. The quarterly installment payments shall be made on or before April 15, June 15, and October 15 of each taxable year. The company shall remit the balance by the following March 15 in the same manner provided in this section for annual returns. ~~For taxable years beginning on or after January 1, 1989, each of the three quarterly installments shall be equal to at least thirty-three and one-third percent (33 1/3%) and payment of these installments shall be made on or before April 15, June 15, and October 15 of each taxable year. The balance shall be remitted by the following March 15 in the same manner provided in this section for annual returns.~~

The Commissioner of Insurance may, by regulation, permit an insurance company to pay less than the required estimated payment when the insurer reasonably believes that the total estimated payments made for the current year will exceed the total anticipated tax liability for the year.

If a company does not meet the installment payment requirement of this section, the Commissioner of Insurance shall assess a penalty on underpayments that is equal to the interest rate adopted by the Secretary of Revenue under G.S. 105-241.1(i). Any overpayment shall be credited to the company and applied against the taxes imposed upon the company under this Article.

The provisions as to reports and taxes as measured by gross premiums shall not apply to farmers' mutual assessment fire insurance companies or to fraternal orders or societies that do not operate for a profit and do not issue policies on any person except members.

With respect to the taxes levied in this section on the equivalent of premiums of self-insurers under the provisions of the Workers' Compensation Act, the reports required herein shall be transmitted to and the taxes collected by the Insurance Commissioner as provided in G.S. 97-100(j)."

Sec. 298. Article 8B of Chapter 105 of the General Statutes is amended by adding a new section to read:

“§ 105-228.5A. Credit against gross premium tax for assessments paid to the Insurance Guaranty Association and the Life and Accident and Health Insurance Guaranty Association.

(a) The following definitions apply in this section:

- (1) Assessment. — An assessment as described in G.S. 58-48-35 or an assessment as described in G.S. 58-62-40.
- (2) Association. — The North Carolina Insurance Guaranty Association created under G.S. 58-48-25 or the Life and Accident and Health Insurance Guaranty Association created under G.S. 58-62-25.
- (3) Commissioner. — Commissioner of Insurance.
- (4) Member insurer. — A member insurer as defined in G.S. 58-48-20 or a member insurer as defined in G.S. 58-62-20.

(b) A member insurer who pays an assessment is allowed as a credit against the tax imposed under G.S. 105-228.5 an amount equal to twenty percent (20%) of the amount of the assessment in each of the five taxable years following the year in which the assessment was paid. In the event a member insurer ceases doing business, all assessments for which it has not taken a credit under this section may be credited against its premium tax liability for the year in which it ceases doing business. The amount of the credit allowed by this section may not exceed the member insurer's premium tax liability for the taxable year.

(c) Any sums that are acquired by refund, under either G.S. 58-48-35 or G.S. 58-62-40, from the Association by member insurers, and that have previously been offset against premium taxes as provided in subsection (b) of this section, shall be paid by the member insurers to this State in the manner required by the Commissioner. The Association shall notify the Commissioner that the refunds have been made.”

Sec. 299. G.S. 58-48-75 is repealed.

PART 52.-----INDIVIDUAL INCOME TAX CHANGES

Sec. 300. G.S. 105-134.2(a) reads as rewritten:

“(a) A tax is imposed upon the North Carolina taxable income of every individual. The tax shall be levied, collected, and paid annually and shall be computed at the following percentages of the taxpayer's North Carolina taxable income.

- (1) For married individuals who file a joint return under G.S. 105-152.1 and for surviving spouses, as defined in section 2(a) of the Code:

On the North Carolina taxable income up to twenty-one thousand two hundred fifty dollars (\$21,250), six percent ~~(6%)~~ and (6%).

On the ~~excess amount~~ over twenty-one thousand two hundred fifty dollars ~~(\$21,250)~~, (\$21,250) and up to one hundred thousand dollars (\$100,000), seven percent (7%).

On the amount over one hundred thousand dollars (\$100,000), seven and seventy-five one-hundredths percent (7.75%).

- (2) For heads of households, as defined in section 2(b) of the Code:

On the North Carolina taxable income up to seventeen thousand dollars (\$17,000), six percent ~~(6%)~~ and (6%).

On the ~~excess amount~~ over seventeen thousand dollars ~~(\$17,000)~~, (\$17,000) and up to eighty thousand dollars (\$80,000), seven percent (7%).

On the amount over eighty thousand dollars (\$80,000), seven and seventy-five one-hundredths percent (7.75%).

- (3) For unmarried individuals other than surviving spouses and heads of households:

On the North Carolina taxable income up to twelve thousand seven hundred fifty dollars (\$12,750), six percent ~~(6%)~~ and (6%).

On the ~~excess amount~~ over twelve thousand seven hundred fifty dollars ~~(\$12,750)~~, (\$12,750) and up to sixty thousand dollars (\$60,000), seven percent (7%).

On the amount over sixty thousand dollars (\$60,000), seven and seventy-five one-hundredths percent (7.75%).

- (4) For married individuals who do not file a joint return under G.S. 105-152.1:

On the North Carolina taxable income up to ten thousand six hundred twenty-five dollars (\$10,625), six percent ~~(6%)~~; and (6%).

On the excess amount over ten thousand six hundred twenty-five dollars ~~(\$10,625)~~, (\$10,625) and up to fifty thousand dollars (\$50,000), seven percent (7%).

On the amount over fifty thousand dollars (\$50,000), seven and seventy-five one-hundredths percent (7.75%)."

Sec. 301. G.S. 105-131.7(c) reads as rewritten:

"(c) An S Corporation shall file with the Department, on a form prescribed by the Secretary, the agreement of each nonresident shareholder of the corporation (i) to file a return and make timely payment of all taxes imposed by this State on the shareholder with respect to the income of the S Corporation, and (ii) to be subject to personal jurisdiction in this State for purposes of the collection of any unpaid income tax, together with related interest and penalties, owed by the nonresident shareholder. If the corporation fails to timely file an agreement required by this subsection on behalf of any of its nonresident shareholders, then the corporation shall at the time specified in subsection (d) of this section pay to the Department on behalf of each nonresident shareholder with respect to whom an agreement has not been timely filed an amount equal to seven percent (7%) of an estimated amount of the tax due the State. The estimated amount of tax due the State shall be computed at the rates levied in G.S. 105-134.2(a)(3) on the shareholder's pro rata share of the S Corporation's income attributable to the State reflected on the corporation's return for the taxable period. An S Corporation may recover a payment made pursuant to the preceding sentence from the shareholder on whose behalf the payment was made."

Sec. 302. G.S. 105-160.2 reads as rewritten:

"§ 105-160.2. Imposition of tax.

The tax imposed by this Division shall apply to the taxable income of estates and trusts as determined under the provisions of the Code except as otherwise provided in this Division. The taxable income of an estate or trust shall be the same as taxable income for such an estate or trust under the provisions of the Code, adjusted as provided in G.S. 105-134.6 and G.S. 105-134.7, except that the adjustments provided in G.S. 105-134.6 and G.S. 105-134.7 shall be apportioned between the estate or trust and the beneficiaries based on the distributions made during the taxable year. The tax shall be computed at the following percentages of on the amount of the taxable income of an the estate or trust which that is for the benefit of a resident of this State, or for the benefit of a nonresident to the extent that the income (i) is derived from North Carolina sources and is attributable to the ownership of any interest in real or tangible personal property in this State or (ii) is derived from a business, trade, profession, or occupation carried on in this State. For purposes of the preceding sentence, taxable income and gross income shall be computed subject to the adjustments provided in G.S. 105-134.6 and G.S. 105-134.7. The tax on the amount computed above shall be at the rates levied in G.S. 105-134.2(a)(3). shall be at six percent (6%) on the first twelve thousand seven hundred fifty dollars (\$12,750) of the amount computed above; and at seven percent (7%) of the excess of the amount computed above over twelve thousand seven hundred fifty dollars (\$12,750). The tax computed under the provisions of this Division shall be paid by the fiduciary responsible for administering the estate or trust."

Sec. 303. Notwithstanding G.S. 105-163.15, no addition to tax may be made under that statute for a taxable year beginning on or after January 1, 1991, and

before January 1, 1992, with respect to an underpayment of individual income tax to the extent the underpayment was created or increased by this Part.

PART 53.-----ALCOHOL TAX CHANGES

Sec. 304. G.S. 18B-804, as amended by Chapter 565 of the 1991 Session Laws, reads as rewritten:

"§ 18B-804. Alcoholic beverage pricing.

(a) Uniform Price of Spirituous Liquor. — The retail price of spirituous liquor sold in ABC stores shall be uniform throughout the State, unless otherwise provided by the ABC law.

(b) Sale Price of Spirituous Liquor. — The sale of spirituous liquor sold at the uniform State price shall consist of the following components:

- (1) The distiller's ~~price~~, price.
- (2) The freight and bailment charges of the State warehouse as determined by the ~~Commission~~, Commission.
- (3) A markup for local boards as determined by the ~~Commission~~, Commission.
- (4) The tax levied under G.S. 105-113.80(c), which shall be levied on the sum of subdivisions (1), (2), and ~~(3)~~, (3).
- (5) An additional markup for local boards equal to three and one-half percent (3 1/2%) of the sum of subdivisions (1), (2), and ~~(3)~~, (3).
- (6) A bottle charge of one cent (1¢) on each bottle containing 50 milliliters or less and five cents (5¢) on each bottle containing more than 50 ~~milli-~~ milliliters.
- (6a) The bailment ~~surcharge~~, surcharge.
- (6b) An additional bottle charge for local boards of one cent (1¢) on each bottle containing 50 milliliters or less and five cents (5¢) on each bottle containing more than 50 ~~milliliters~~, milliliters.
- (7) A rounding adjustment, the formula of which may be determined by the Commission, so that the sale price will be divisible by ~~five~~, and five.
- (8) If the spirituous liquor is sold to a mixed beverage permittee for resale in mixed beverages, a charge of ~~fifteen dollars (\$15.00)~~, twenty dollars (\$20.00) on each four liters and a proportional sum on lesser quantities.
- (9) If the spirituous liquor is sold to a guest room cabinet permittee for resale, a charge of fifteen dollars (\$15.00) on each four liters and a proportional sum on lesser quantities.

(c) Sale Price of Fortified Wine. — The sale price of fortified wine shall include the tax levied by G.S. 105-113.80(b), as well as State and local sales taxes.

(d) Repealed by Session Laws 1985, c. 59, s. 2."

Sec. 305. Effective October 1, 1991, G.S. 18B-804(b)(9), as enacted by Chapter 565 of the 1991 Session Laws, reads as rewritten:

- "(9) If the spirituous liquor is sold to a guest room cabinet permittee for resale, a charge of ~~fifteen dollars (\$15.00)~~, twenty dollars (\$20.00) on each four liters and a proportional sum on lesser quantities."

Sec. 306. G.S. 18B-805(b) reads as rewritten:

"(b) Primary Distribution. — Before making any other distribution, a local board shall first pay the following from its gross receipts:

- (1) The board shall pay the expenses, including salaries, of operating the local ABC system.
- (2) Each month the local board shall pay to the Department of Revenue the taxes due the Department. In addition to the taxes levied under Chapter 105 of the General Statutes, the local board shall pay to the Department ~~one third one-half~~ of the mixed beverages surcharge required by G.S. 18B-804(b)(8).
- (3) Each month the local board shall pay to the Department of Human Resources ~~six and two thirds percent (62/3%)~~, five percent (5%) of the mixed beverages surcharge required by G.S. 18B-804(b)(8). The

Department of Human Resources shall spend those funds for the treatment of alcoholism or substance abuse, or for research or education on alcohol or substance abuse.

- (4) Each month the local board shall pay to the county commissioners of the county where the charge is collected the proceeds from the bottle charge required by G.S. 18B-804(b)(6), to be spent by the county commissioners for the purposes stated in subsection (h) of this section."

Sec. 307. G.S. 18B-902(d), as amended by Chapters 267 and 565 of the 1991 Session Laws, reads as rewritten:

"(d) Fees. — An application for an ABC permit shall be accompanied by payment of the following application fee:

- (1) On-premises malt beverage permit — ~~\$100.00-~~ \$200.00.
- (2) Off-premises malt beverage permit — ~~\$100.00-~~ \$200.00.
- (3) On-premises unfortified wine permit — ~~\$100.00-~~ \$200.00.
- (4) Off-premises unfortified wine permit — ~~\$100.00-~~ \$200.00.
- (5) On-premises fortified wine permit — ~~\$100.00-~~ \$200.00.
- (6) Off-premises fortified wine permit — ~~\$100.00-~~ \$200.00.
- (7) Brown-bagging permit — \$200.00, unless the application is for a restaurant seating less than 50, in which case the fee shall be \$100.00.
- (8) Special occasion permit — \$200.00.
- (9) Limited special occasion permit — \$25.00.
- (10) Mixed beverages permit — \$750.00.
- (11) Culinary permit — \$100.00.
- (12) Unfortified winery permit — \$100.00.
- (13) Fortified winery permit — \$100.00.
- (14) Limited winery permit — \$100.00.
- (15) Brewery permit — \$100.00.
- (16) Distillery permit — \$100.00.
- (17) Fuel alcohol permit — \$10.00.
- (18) Wine importer permit — \$100.00.
- (19) Wine wholesaler permit — \$100.00.
- (20) Malt beverage importer permit — \$100.00.
- (21) Malt beverage wholesaler permit — \$100.00.
- (22) Bottler permit — \$100.00.
- (23) Salesman permit — \$25.00.
- (24) Vendor representative permit — \$25.00.
- (25) Nonresident malt beverage vendor permit — \$25.00.
- (26) Nonresident wine vendor permit — \$25.00.
- (27) Any special one-time permit under G.S. 18B-1002 — \$25.00.
- (28) Winery special event permit — \$100.00.
- (29) Guest room cabinet permit. — \$750.00."

Sec. 308. G.S. 18B-902(e) reads as rewritten:

"(e) Fee for Combined Applications. — If application is made at the same time for retail malt beverage, unfortified wine and fortified wine permits for a single business location, the total fee for those applications shall be ~~one hundred dollars (\$100.00)-~~ two hundred dollars (\$200.00). If application is made at the same time for brown-bagging and special occasion permits for a single business location, the total fee for those applications shall be three hundred dollars (\$300.00). If application is made at the same time for wine and malt beverage importer permits, the total fee for those applications shall be one hundred dollars (\$100.00). If application is made at the same time for wine and malt beverage wholesaler permits, the total fee for those applications shall be one hundred dollars (\$100.00). If application is made in the same year for vendor representative permits to represent more than one vendor, only one fee shall be paid. If application is made at the same time for nonresident malt beverage vendor and nonresident wine vendor permits, the total fee for those applications shall be twenty-five dollars (\$25.00)."

Sec. 309. G.S. 105-113.75 reads as rewritten:

“§ 105-113.75. State beer and wine retail licenses.

A person holding any of the following retail ABC permits shall obtain a State license for the activity authorized by the permit. The annual tax for each license is as stated.

ABC Permit	Corresponding State License	Tax
On-premises malt beverage, off-premises malt beverage, or both	Retail malt beverage	\$20.00 <u>\$100.00</u>
On-premises unfortified wine, on-premises fortified wine, or both	Retail wine: on-premises	25.00 <u>100.00</u>
Off-premises unfortified wine, off-premises fortified wine, or both”.	Retail wine: off-premises	20.00 <u>100.00</u>

Sec. 310. G.S. 18B-1004 reads as rewritten:

“§ 18B-1004. Hours for sale and consumption.

(a) Hours. — Except as otherwise provided in this section, it shall be unlawful to sell malt beverages, unfortified wine, fortified wine, or mixed beverages between the hours of ~~1:00~~ 2:00 A.M. and 7:00 A.M., or to consume any of those alcoholic beverages between the hours of ~~1:30~~ 2:30 A.M. and 7:00 A.M., in any place ~~which~~ that has been issued a permit under G.S. 18B-1001.

~~(b) Daylight Saving Time. — From the first Sunday in April until the last Sunday in October, sales of alcoholic beverages may continue until 2:00 A.M. rather than 1:00 A.M., and consumption of alcoholic beverages may continue until 2:30 A.M. rather than 1:30 A.M., on any licensed premises.~~

(c) Sunday Hours. — It shall be unlawful to sell or consume alcoholic beverages on any licensed premises from the time at which sale or consumption must cease on Sunday morning until 1:00 P.M. on that day.

(d) Local Option. — A city may adopt an ordinance prohibiting in the city the retail sale of malt beverages, unfortified wine, and fortified wine during any or all of the hours from 1:00 P.M. on Sunday until 7:00 A.M. on the following Monday. A county may adopt an ordinance prohibiting, in the parts of the county outside any city, the retail sale of malt beverages, unfortified wine, and fortified wine during any or all of the hours from 1:00 P.M. on Sunday until 7:00 A.M. on the following Monday. Neither a city nor a county, however, may prohibit those sales in establishments having brown-bagging or mixed beverages permits.

(e) This section does not prohibit at any time the wholesale delivery and sale of unfortified wine, fortified wine, and malt beverages to retailers issued permits pursuant to G.S. 18B-1001.”

PART 54.-----SALES TAX CHANGES

Sec. 311. G.S. 105-164.4, as amended by Chapter 598 of the 1991 Session Laws, reads as rewritten:

“§ 105-164.4. Tax imposed on retailers.

(a) A privilege tax is imposed on a retailer at the following percentage rates of the retailer's net taxable sales, ~~or gross receipts from the lease or rental of tangible personal property, as appropriate; sales or gross receipts, as appropriate. The general rate of tax is four percent (4%).~~

(1) ~~At the rate of three percent (3%) of The general rate of tax applies to the sales price of each item or article of tangible personal property that is sold at retail and is not subject to tax under another subdivision in this section.~~

(1a) ~~At the rate of two percent (2%) of The rate of two percent (2%) applies to the sales price of each manufactured home sold at retail, including all accessories attached to the manufactured home when it is delivered to the~~

~~purchaser, not to exceed three hundred dollars (\$300.00)- purchaser. The maximum tax is three hundred dollars (\$300.00) per article. Each section of a manufactured home that is transported separately to the site where it is to be erected is a separate article.~~

- (1b) ~~At the rate of two percent (2%) of~~ The rate of three percent (3%) applies to the sales price of each aircraft, boat, railway car, or locomotive sold at retail, including all accessories attached to the item when it is delivered to the purchaser, not to exceed one thousand five hundred dollars (\$1,500)- purchaser. The maximum tax is one thousand five hundred dollars (\$1,500) per article.
- (1c) ~~At the rate of one percent (1%) of~~ The rate of one percent (1%) applies to the sales price on of the following items- articles:
- a. Horses or mules by whomever sold.
 - b. Semen to be used in the artificial insemination of animals.
 - c. Sales of fuel, other than electricity or piped natural gas, to farmers to be used by them for any farm purposes other than preparing food, heating dwellings and other household purposes. The quantity of fuel purchased or used at any one time shall not in any manner be a determinative factor as to whether any sale or use of fuel is or is not subject to the one percent (1%) rate of tax imposed herein.
 - d. Sales of fuel, other than electricity or piped natural gas, to manufacturing industries and manufacturing plants for use in connection with the operation of such industries and plants other than sales of fuels to be used for residential heating purposes. The quantity of fuel purchased or used at any one time shall not in any manner be a determinative factor as to whether any sale or use of fuel is or is not subject to the ~~one percent (1%) rate of tax imposed herein, rate of tax provided in this subdivision.~~
 - e. Sales of fuel, other than electricity or piped natural gas, to commercial laundries or to pressing and dry-cleaning establishments for use in machinery used in the direct performance of the laundering or the pressing and cleaning service.
 - f. Sales to freezer locker plants of wrapping paper, cartons and supplies consumed directly in the operation of such plant.
- (1d) ~~At the rate of one percent (1%) of the sales price, subject to a maximum tax of eighty dollars (\$80.00) per article, on the following items: The rate of one percent (1%) applies to the sales price of the following articles. The maximum tax is eighty dollars (\$80.00) per article.~~
- a. Sales of machines and machinery, whether animal or motor drawn or operated, and parts and accessories for such machines and machinery to farmers for use by them in the planting, cultivating, harvesting or curing of farm crops, and sales of machines and machinery and parts and accessories for such machines and machinery to dairy operators, poultry farmers, egg producers, and livestock farmers for use by them in the production of dairy products, poultry, eggs or livestock, except such machines, machinery, equipment, parts, and accessories that come within the provisions of G.S. 105-164.13(4c).

The term 'machines and machinery' as used in this subdivision is defined as follows:

The term shall include all vehicular implements, designed and sold for any use defined in this subdivision, which are operated, drawn or propelled by motor or animal power, but shall not include vehicular implements which are operated wholly by hand, and shall not include any motor vehicles required to be registered under Chapter 20 of the General Statutes.

The term shall include all nonvehicular implements and mechanical devices designed and sold for any use defined in this subdivision, which have moving parts, or which require the use of any motor or animal power, fuel, or electricity in their operation but shall not include nonvehicular implements which have no moving parts and are operated wholly by hand.

The term shall also include metal flues sold for use in curing tobacco, whether such flues are attached to handfired furnaces or used in connection with mechanical burners.

- b. Sales of mill machinery or mill machinery parts and accessories to manufacturing industries and plants, and sales to contractors and subcontractors purchasing mill machinery or mill machinery parts and accessories for use by them in the performance of contracts with manufacturing industries and plants, and sales to subcontractors purchasing mill machinery or mill machinery parts and accessories for use by them in the performance of contracts with general contractors who have contracts with manufacturing industries and plants. As used in this paragraph, the term 'manufacturing industries and plants' does not include delicatessens, cafes, cafeterias, restaurants, and other similar retailers that are principally engaged in the retail sale of foods prepared by them for consumption on or off their premises.
 - c. Sales of central office equipment and switchboard and private branch exchange equipment to telephone companies regularly engaged in providing telephone service to subscribers on a commercial basis, and sales to these companies of prewritten computer programs used in providing telephone service to their subscribers.
 - d. Sales to commercial laundries or to pressing and dry cleaning establishments of machinery used in the direct performance of the laundering or the pressing and cleaning service and of parts and accessories thereto.
 - e. Sales to freezer locker plants of machinery used in the direct operation of said freezer locker plant and of parts and accessories thereto.
 - f. Sales of broadcasting equipment and parts and accessories thereto and towers to commercial radio and television companies which are under the regulation and supervision of the Federal Communications Commission.
 - g. Sales to farmers of bulk tobacco barns and racks and all parts and accessories thereto and similar apparatus used for the curing and drying of any farm produce.
 - h. Sales to farmers of grain, feed or soybean storage facilities and accessories thereto, whether or not dryers are attached, and all similar apparatus and accessories thereto for the storage of grain, feed or soybeans.
 - i. Sales of containers to farmers or producers for use in the planting, producing, harvesting, curing, marketing, packaging, sale, or transporting or delivery of their products when such containers do not go with and become part of the sale of their products at wholesale or retail.
- (2) ~~At the applicable percentage rate of~~ The applicable percentage rate applies to the gross receipts derived from the lease or rental of tangible personal property by a person who is engaged in the business of leasing or renting tangible personal property, or is a retailer and leases or rents property of the type sold by the retailer. The applicable percentage rate is the rate and the maximum tax, if any, that applies to a sale of the property that is leased or rented. A person who leases or rents property shall

also collect the tax imposed by this section on the separate retail sale of the property.

- (3) Operators of hotels, motels, tourist homes, tourist camps, and similar type businesses and persons who rent private residences and cottages to transients are considered retailers under this Article. ~~There is levied upon every such retailer a tax of three percent (3%) of the gross receipts derived~~ A tax at the general rate of tax is levied on the gross receipts derived by these retailers from the rental of any rooms, lodgings, or accommodations furnished to transients for a consideration. This tax does not apply to any private residence or cottage that is rented for less than 15 days in a calendar year or to any room, lodging, or accommodation supplied to the same person for a period of 90 or more continuous days.

As used in this subdivision, the term 'persons who rent to transients' means (i) owners of private residences and cottages who rent to transients and (ii) rental agents, including 'real estate brokers' as defined in G.S. 93A-2, who rent private residences and cottages to transients on behalf of the owners. If a rental agent is liable for the tax imposed by this subdivision, the owner is not liable.

- (4) ~~Every person, firm or corporation person engaged in the business of operating a pressing club, cleaning plant, hat blocking establishment, dry-cleaning plant, laundry (including wet or damp wash laundries and businesses known as launderettes and laundralls), dry cleaning, pressing, or hat-blocking establishment, a laundry, or any similar business, or engaged in the business of renting clean linen or towels or wearing apparel, or any similar business, or engaged in the business of soliciting cleaning, pressing, hat blocking, laundering or linen rental business for any of the aforementioned these businesses, shall be considered "retailers" for the purposes of this Article, is considered a retailer under this Article. There is hereby levied upon every such person, firm or corporation a tax of three percent (3%) of the gross receipts derived~~ A tax at the general rate of tax is levied on the gross receipts derived by these retailers from services rendered in engaging in any of the occupations or businesses named in this ~~subdivision~~ subdivision, and every person, firm or corporation subject to the provisions of this subdivision shall register and secure a license in the manner hereinafter provided in this section, and, insofar as practicable, all other provisions of this Article shall be applicable with respect to the tax herein provided for. The tax imposed by this subdivision does not apply to receipts derived from coin or token-operated washing machines, extractors, and dryers. ~~The taxes levied in this subdivision are additional privilege or license taxes for the privilege of engaging in the occupations or businesses named herein. Any person, firm or corporation engaged in cleaning, pressing, hat blocking, laundering for, or supplying clean linen or towels or wearing apparel to, another person, firm or corporation engaged in soliciting shall not be required to pay the three percent (3%) tax on its gross receipts derived through such solicitor, if the soliciting person, firm or corporation has registered with the Department, secured the license hereinafter required and has paid the tax at the rate of three percent (3%) of the total gross receipts derived from business solicited. The tax imposed by this subdivision does not apply to gross receipts derived from services performed for resale by a retailer that pays the tax on the total gross receipts derived from the services.~~

- (4a) ~~At the rate of three percent (3%) of~~ The rate of three percent (3%) applies to the gross receipts derived by a utility from sales of electricity, piped natural gas, or local telecommunications service as defined by G.S. 105-120(e). Gross receipts from sales of piped natural gas shall not include natural gas expansion surcharges imposed under G.S.

62-158. A person who operates a utility is considered a retailer under this Article.

- (4b) A person who sells tangible personal property at a flea market, other than ~~his the person's~~ own household personal property, is considered a retailer under this Article. A tax ~~at the general rate of tax~~ is levied on ~~that person at the rate of three percent (3%) of the sales price of each article sold by him the retailer~~ at the flea market. A person who leases or rents space ~~to others~~ at a flea market may not lease or rent this space unless the retailer requesting to rent or lease the space ~~furnishes evidence that he has obtained shows the license or a copy of the license~~ required by this Article. ~~Article or other evidence of compliance.~~ A person who leases or rents space at a flea market shall keep records of retailers ~~to whom he has who have~~ leased or rented space at the flea market. As used in this subdivision, the term 'flea market' means a place where space is rented to a person for the purpose of selling tangible personal property.

- (4c) ~~At the The~~ rate of six and one-half percent (6 1/2%) ~~of applies to~~ the gross receipts derived from providing toll telecommunications services or private telecommunications services as defined by G.S. 105-120(e) that both originate from and terminate in the State and are not subject to the privilege tax under G.S. 105-120. Any business entity that provides ~~the service outlined above these services~~ is considered a retailer under this Article. This subdivision does not apply to telephone membership corporations as described in Chapter 117 of the General Statutes.

(b) The tax levied in this section shall be collected from the retailer and paid by him at the time and in the manner as hereinafter provided. Provided, however, that any person engaging or continuing in business as a retailer shall pay the tax required on the net taxable sales of such business at the rates specified when proper books are kept showing separately the gross proceeds of taxable and nontaxable sales of tangible personal property in such form as may be accurately and conveniently checked by the Secretary or his duly authorized agent. If such records are not kept separately the tax shall be paid as a retailer on the gross sales of business and the exemptions and exclusions provided by this Article shall not be allowed. The tax levied in this section is in addition to all other taxes whether levied in the form of excise, license or privilege or other taxes.

(c) Any person who engages or continues in any business for which a privilege tax is imposed by this Article shall immediately after July 1, 1979, apply for and obtain from the Secretary upon payment of the sum of five dollars (\$5.00) a license to engage in and conduct such business upon the condition that the person shall pay the tax accruing to the State under this Article; the person shall thereby be duly licensed and registered to engage in and conduct such business. Except as hereinafter provided, a license issued under this subsection shall be a continuing license until revoked for failure to comply with the provisions of this Article. However, any person who has heretofore applied for and obtained the license, if the license was in force and effect as of July 1, 1979, shall not be required to apply for and obtain a new license.

Any person who ceases to be engaged in any business for which a privilege tax is imposed by this Article, and who remains continuously out of business for a period of five years shall apply for and obtain a new license from the Secretary upon the payment of a tax of five dollars (\$5.00), and any license previously issued under this section shall be void. The burden of proof after such period shall be upon the taxpayer to show that he did engage in such business within the period, and that no new license is required.

A retailer who sells tangible personal property at a flea market shall conspicuously display his sales tax license when making sales at the flea market."

Sec. 312. G.S. 105-164.6(b) reads as rewritten:

"(b) ~~There is hereby levied and there shall be collected from every person, firm, or corporation, an excise tax of three percent (3%) of the purchase price of all tangible~~

personal property purchased or used which shall enter into or become a part of any building or other kind of structure in this State, including all materials, supplies, fixtures and equipment of every kind and description which shall be annexed thereto or in any manner become a part thereof. The tax shall be levied against the purchaser of such property. Provided, that where the purchaser is a contractor, the contractor and owner shall be jointly and severally liable for the tax, but the liability of the owner shall be deemed satisfied if before final settlement between them the contractor furnishes to the owner an affidavit certifying that the tax has been paid. Provided further, that where the purchaser is a subcontractor, the contractor and subcontractor shall be jointly and severally liable for the tax, but the liability of the contractor shall be deemed satisfied if before final settlement between them the subcontractor furnishes to the contractor an affidavit certifying that the tax has been paid. An excise tax at the general rate of tax set in G.S. 105-164.4 is imposed on the purchase price of tangible personal property purchased inside or outside the State that becomes a part of a building or other structure in the State. The purchaser of the property is liable for the tax. If the purchaser is a contractor, the contractor and owner are jointly and severally liable for the tax; if the purchaser is a subcontractor, the subcontractor and contractor are jointly and severally liable for the tax. The liability of an owner or a contractor who did not purchase the property is satisfied if the purchaser delivers to the owner or contractor before final settlement between them an affidavit certifying that the tax has been paid."

Sec. 313. G.S. 105-164.10 reads as rewritten:

"§ 105-164.10. Retail bracket system.

For the convenience of the retailer in collecting the tax due at the rate of three percent (3%) and to facilitate the administration of this Article, every retailer engaged in or continuing within this State in a business for which a license, privilege or excise tax is required by this Article shall add to the sale price and collect from the purchaser on all taxable retail sales an amount equal to the following:

- (1) No amount on sales of less than 10 ¢.
- (2) 1 ¢ on sales of 10 ¢ and over but not in excess of 35 ¢.
- (3) 2 ¢ on sales of 36 ¢ and over but not in excess of 70 ¢.
- (4) 3 ¢ on sales of 71 ¢ and over but not in excess of \$1.16.
- (5) Sales over \$1.16 straight 3% with major fractions governing.

Use of the above bracket does not relieve the retailer from the duty and liability to remit to the Secretary an amount equal to three percent (3%) of the gross receipts derived from all taxable retail sales subject to the three percent (3%) rate during the taxable period.

Whenever a sales or use tax is due at a rate of less than three percent (3%), the tax shall be computed by multiplying the sales or purchase price by the applicable rate and by rounding the result off to the nearest whole cent. The use of this method in computing the sales or use tax shall not relieve a taxpayer from the duty and liability of remitting to the Secretary an amount equal to the applicable rates times gross receipts subject to taxation at the lesser rates. under this Article, the Secretary shall prescribe tables that compute the tax due on sales by rounding off the amount of tax due to the nearest whole cent. The Secretary shall issue a separate table for each rate of tax that may apply to a sale, including the general rate established in G.S. 105-164.4, preferential rates, and combined State and local rates. Use of the tables prescribed by the Secretary does not relieve a retailer of liability for the applicable rate of tax due on the gross receipts or net taxable sales of the retailer."

Sec. 314. G.S. 105-164.13(18) reads as rewritten:

- "(18) Funeral expenses, including coffins and caskets, not to exceed one thousand five hundred dollars (\$1,500). All other funeral expenses, including gross receipts for services rendered, shall be taxable at the ~~rate of three percent (3%)~~ general rate of tax set in G.S. 105-164.4. However, 'services rendered' shall not include those services which have been taxed pursuant to G.S. 105-164.4(4), or to those services performed by any beautician, cosmetologist, hairdresser or barber employed by or at

the specific direction of the family or personal representative of a deceased; and 'funeral expenses' and 'services rendered' shall not include death certificates procured by or at the specific direction of the family or personal representative of a deceased. Where coffins, caskets or vaults are purchased direct and a separate charge is paid for services, the provisions of this subdivision shall apply to the total for both."

Sec. 315. G.S. 105-465 reads as rewritten:

"§ 105-465. County election as to adoption of local sales and use tax.

The board of elections of any county, upon the written request of the board of county commissioners thereof, or upon receipt of a petition signed by qualified voters of the county equal in number to at least fifteen percent (15%) of the total number of votes cast in the county, at the last preceding election for the office of Governor, shall call a special election for the purpose of submitting to the voters of the county the question of whether a one percent (1%) sales and use tax as hereinafter provided will be levied.

The special election shall be held under the same rules and regulations applicable to the election of members of the General Assembly. No new registration of voters shall be required. All qualified voters in the county who are properly registered not later than 21 days (excluding Saturdays and Sundays) prior to the election shall be entitled to vote at said election. The county board of elections shall give at least 20 days' public notice prior to the closing of the registration books for the special election.

The county board of election shall prepare ballots for the special election which shall contain the words, 'FOR the one percent (1%) local sales and use tax only on those items presently covered by the ~~three percent (3%)~~ four percent (4%) sales and use tax,' and the words, 'AGAINST the one percent (1%) local sales and use tax only on those items presently covered by the ~~three percent (3%)~~ four percent (4%) sales and use tax,' with appropriate squares so that each voter may designate his vote by his cross (X) mark.

The county board of elections shall fix the date of the special election; provided, however, that the special election shall not be held on the date of any biennial election for county officers, nor within 60 days thereof, nor within one year from the date of the last preceding special election under this section."

Sec. 316. G.S. 105-467 reads as rewritten:

"§ 105-467. Scope of sales tax.

The sales tax which may be imposed under this Article is limited to a tax at the rate of one percent (1%) of:

- (1) The sales price of those articles of tangible personal property now subject to the ~~three percent (3%)~~ general rate of sales tax imposed by the State under G.S. 105-164.4(a)(1) and (4b);
- (2) The gross receipts derived from the lease or rental of tangible personal property when the lease or rental of the property is subject to the ~~three percent (3%)~~ general rate of sales tax imposed by the State under G.S. 105-164.4(a)(2);
- (3) The gross receipts derived from the rental of any room or lodging furnished by any hotel, motel, inn, tourist camp or other similar accommodations now subject to the ~~three percent (3%)~~ general rate of sales tax imposed by the State under G.S. 105-164.4(a)(3); and
- (4) The gross receipts derived from services rendered by laundries, dry cleaners, ~~cleaning plants and similar type and other~~ businesses now subject to the ~~three percent (3%)~~ general rate of sales tax imposed by the State under G.S. 105-164.4(a)(4).

The sales tax authorized by this Article does not apply to sales that are taxable by the State under G.S. 105-164.4 but are not specifically included in subdivisions (1) through (4) of this section.

The exemptions and exclusions contained in G.S. 105-164.13 and the refund provisions contained in G.S. 105-164.14 shall apply with equal force and in like manner

to the local sales and use tax authorized to be levied and imposed under this Article. A taxing county shall have no authority, with respect to the local sales and use tax imposed under this Article to change, alter, add to or delete any refund provisions contained in G.S. 105-164.14, or any exemptions or exclusions contained in G.S. 105-164.13 or which are elsewhere provided for.

The local sales tax authorized to be imposed and levied under the provisions of this Article shall apply to such retail sales, leases, rentals, rendering of services, furnishing of rooms, lodgings or accommodations and other taxable transactions which are made, furnished or rendered by retailers whose place of business is located within the taxing county. The tax imposed shall apply to the furnishing of rooms, lodging or other accommodations within the county which are rented to transients. For the purpose of this Article, the situs of a transaction is the location of the retailer's place of business."

Sec. 317. G.S. 105-468 reads as rewritten:

"§ 105-468. Scope of use tax.

The use tax which may be imposed under this Article shall be at the rate of one percent (1%) of the cost price of each item or article of tangible personal property when it is not sold but used, consumed or stored for use or consumption in the taxing county, except that no tax shall be imposed upon tangible personal property when the property would be taxed by the State at a rate of ~~other than three percent (3%) other than the general rate of tax set in G.S. 105-164.4~~ if it were taxable under G.S. 105-164.6.

Every retailer engaged in business in this State and in the taxing county and required to collect the use tax levied by G.S. 105-164.6 shall also collect the one percent (1%) use tax when such property is to be used, consumed or stored in the taxing county, one percent (1%) use tax to be collected concurrently with the State's use tax; but no retailer not required to collect the use tax levied by G.S. 105-164.6 shall be required to collect the one percent (1%) use tax. The use tax contemplated by this section shall be levied against the purchaser, and the purchaser's liability for the use tax shall be extinguished only upon payment of the use tax to the retailer, where the retailer is required to collect the tax, or to the Secretary of Revenue, or to the taxing county, as appropriate, where the retailer is not required to collect the tax.

Where a local sales or use tax has been paid with respect to tangible personal property by the purchaser, either in another taxing county within the State, or in a taxing jurisdiction outside the State where the purpose of the tax is similar in purpose and intent to the tax which may be imposed pursuant to this Article, the tax paid may be credited against the tax imposed under this section by a taxing county upon the same property. If the amount of sales or use tax so paid is less than the amount of the use tax due the taxing county under this section, the purchaser shall pay to the Secretary of Revenue or to the taxing county, as appropriate, an amount equal to the difference between the amount so paid in the other taxing county or jurisdiction and the amount due in the taxing county. The Secretary of Revenue or the taxing county, as appropriate, may require such proof of payment in another taxing county or jurisdiction as is deemed to be necessary. The use tax levied under this Article is not subject to credit for payment of any State sales or use tax not imposed for the benefit and use of counties and municipalities. No credit shall be given under this section for sales or use taxes paid in a taxing jurisdiction outside this State if that taxing jurisdiction does not grant similar credit for sales taxes paid under this Article."

Sec. 318. G.S. 105-470, 105-485, and 105-500 and Article 41 of Chapter 105 of the General Statutes are repealed.

Sec. 319. Chapter 1096 of the 1967 Session Laws is amended as follows:

- (1) The title is amended by deleting the phrase "THREE PER CENT SALES AND USE TAX." and substituting the phrase "SALES AND USE TAX AT THE GENERAL STATE RATE OF TAX SET IN G.S. 105-164.4."
- (2) Section 4 is amended by deleting the phrase "three per cent (3%)" each time it appears and substituting the phrase "general rate of".

- (3) Section 5 is amended by deleting the phrase "of other than three percent (3%)" and substituting the phrase "other than the general rate of tax set in G.S. 105-164.4".
- (4) Section 7 is repealed.
- (5) Section 10.1(d) is amended by deleting the phrase "Items on Which the State Now Imposes a Three Percent (3%) Sales Tax." and substituting the phrase "Scope."

Sec. 320. (a) Approval under the Local Government Sales and Use Tax Act, Article 39 of Chapter 105 of the General Statutes, or under the Mecklenburg County Sales and Use Tax Act, Chapter 1096 of the 1967 Session Laws, as amended, of one percent (1%) local sales and use taxes in addition to the three percent (3%) State sales and use taxes constitutes approval of one percent (1%) local sales and use taxes in addition to the four percent (4%) State sales and use taxes.

(b) Approval under the Supplemental Local Government Sales and Use Tax Act, Article 40 of Chapter 105 of the General Statutes, of one-half percent (1/2%) local sales and use taxes in addition to the one percent (1%) local sales and use taxes and three percent (3%) State sales and use taxes constitutes approval of one-half percent (1/2%) local sales and use taxes in addition to the one percent (1%) local sales and use taxes and the four percent (4%) State sales and use taxes.

(c) Approval under the Additional Supplemental Local Government Sales and Use Tax Act, Article 42 of Chapter 105 of the General Statutes, of one-half percent (1/2%) local sales and use taxes in addition to the one and one-half percent (1-1/2%) local sales and use taxes and three percent (3%) State sales and use taxes constitutes approval of one-half percent (1/2%) local sales and use taxes in addition to the one and one-half percent (1-1/2%) local sales and use taxes and the four percent (4%) State sales and use taxes.

Sec. 321. The provisions of this Part increasing the State sales and use tax from three percent (3%) to four percent (4%) do not apply to construction materials purchased to fulfill a lump sum or unit price contract entered into or awarded before the effective date of the increase or entered into or awarded pursuant to a bid made before the effective date of the increase when the construction materials would otherwise be subject to the State sales and use tax at the rate of four percent (4%).

PART 55.-----HIGHWAY TAX CHANGES

Sec. 322. Division VIII of Article 5 of Chapter 105 of the General Statutes is amended by adding a new section to read:

"§ 105-164.44D. Reimbursement for sales tax exemption for purchases by the Department of Transportation.

The amount of sales and use tax revenue that is not realized by the General Fund as the result of the sales and use tax exemption in G.S. 105-164.13 for purchases by the Department of Transportation shall be transferred from the Highway Fund to the General Fund in accordance with this section. This direct transfer is made in lieu of eliminating the Department of Transportation's sales and use tax exemption to alleviate the administrative and accounting burden that would be placed on the Department of Transportation by eliminating the exemption.

For the 1991-92 fiscal year, the State Treasurer shall transfer the sum of eight million seven hundred thousand dollars (\$8,700,000) from the Highway Fund to the General Fund. The transfer shall be made on a quarterly basis by transferring one-fourth of the annual amount each quarter.

For each fiscal year following the 1991-92 fiscal year, the State Treasurer shall transfer the sum transferred the previous fiscal year plus or minus the percentage of that amount by which the total collection of State sales and use taxes increased or decreased during the previous fiscal year. In each fiscal year, the transfer shall be made on a quarterly basis by transferring one-fourth of the annual amount each quarter."

Sec. 323. G.S. 105-187.6, as amended by Section 4 of Chapter 193 of the 1991 Session Laws, reads as rewritten:

“§ 105-187.6. Exemptions from highway use tax.

(a) Full Exemptions. — The tax imposed by this Article does not apply when a certificate of title is issued as the result of a transfer of a motor vehicle:

- (1) To the insurer of the motor vehicle under G.S. 20-109.1 because the vehicle is a salvage vehicle.
- (2) To either a manufacturer, as defined in G.S. 20-286, or a motor vehicle retailer for the purpose of ~~resale other than lease or rental.~~ resale.
- (3) To the same owner to reflect a change or correction in the owner's name.
- (4) By will or intestacy.
- (5) By a conveyance between a husband and wife or a parent and child.
- (6) By a distribution of marital property as a result of a divorce.

(b) Partial Exemptions. — Only the minimum tax imposed by this Article applies when a certificate of title is issued as the result of a transfer of a motor vehicle:

- (1) ~~By a gift between a husband and wife or a parent and child.~~
- (2) ~~By will or intestacy.~~
- (3) ~~By a distribution of marital property as a result of a divorce.~~
- (4)(1) To a secured party who has a perfected security interest in the motor vehicle.
- (5)(2) To a partnership or corporation as an incident to the formation of the partnership or corporation and no gain or loss arises on the transfer under section 351 or section 721 of the Internal Revenue Code, or to a corporation by merger or consolidation in accordance with G.S. 55-11-06.
- (6) ~~To the same owner to reflect a change in the owner's name.~~

(c) Out-of-state Vehicles. — A maximum tax of one hundred fifty dollars ~~(\$100.00)~~ (\$150.00) applies when a certificate of title is issued for a motor vehicle that, at the time of applying for a certificate of title, is and has been titled in another state for at least 90 days.”

Sec. 324. G.S. 20-85.1(c) reads as rewritten:

“(c) ~~All funds collected under this section shall be deposited in the Highway Fund. The fee collected under subsection (a) shall be credited to the Highway Fund. The fee collected under subsection (b) shall be credited to the Highway Trust Fund.~~”

Sec. 325. G.S. 20-7(l) reads as rewritten:

“(l) Any person who except for lack of instruction in operating a motor vehicle would be qualified to obtain ~~an operator's~~ a driver's license under this Article may ~~apply for obtain a temporary learner's permit, permit.~~ A learner's permit authorizes and the Division shall issue such permit, entitling the applicant, while having such permit in his immediate possession, permit holder to drive a specified type or class of motor vehicle ~~upon the highways for a period of 18 months, while in possession of the permit. A learner's permit is valid for a period of 18 months after it is issued. The fee for issuance of a temporary learner's permit shall be five dollars (\$5.00).~~ is ten dollars (\$10.00). ~~Any such~~ A learner's permit may be renewed, or a second learner's permit may be issued, for an additional period of 18 months. The permittee permit holder must, while operating a motor vehicle over the highways, be accompanied by a person who is licensed to operate the class or type of motor vehicle being operated driven and who is seated in the seat beside the permittee, permit holder. ~~The fee for the issuance of a renewal or a second temporary learner's permit shall be five dollars (\$5.00).~~”

Sec. 326. G.S. 20-11(b) reads as rewritten:

“(b) The Division may ~~grant an application for issue~~ a limited learner's permit of any to a minor under the age of 16, who is at least 15 years old but is less than 16 years old and who otherwise meets the requirements of licensing under this section, when such section. An application is for a limited learner's permit must be signed by both the applicant and his or her the applicant's parent or guardian or some other responsible adult with whom the applicant resides and who is approved by the Division of Motor Vehicles. Division. The A limited learner's permit shall entitle the applicant, while having the permit in his immediate possession, authorizes the permit holder to drive a specified type or class of motor vehicle of the specified type or

~~class upon the highways while in possession of the permit and accompanied by a parent, guardian, or other person approved by the Division. Division who is licensed under this Chapter to operate a motor vehicle (of the type or class being operated by the permittee) and who is actually occupying a seat to operate the motor vehicle being driven and is seated beside the driver. The permit holder. A limited learner's permit shall be is valid for a period of 18 months and the months. The fee for issuance of a limited learner's permit shall be five dollars (\$5.00). is ten dollars (\$10.00). Provided, however, a limited learner's permit as herein provided shall be issued only to those applicants who have reached the age of 15 years. In the event a minor who has been issued holds a limited learner's permit under this subsection operates drives a motor vehicle in violation of any provision herein, law, the permit shall be canceled.~~

Provided a A driver who holds a limited learner's permit only shall not be deemed a male operator under age 25 for the purpose of determining the insurance premium rate for persons insured under automobile property damage and bodily injury liability insurance policies."

Sec. 327. G.S. 20-14 reads as rewritten:

"§ 20-14. Duplicate licenses.

A licensee may obtain a duplicate license, upon payment of a fee of five dollars (\$5.00), ~~if he furnishes to license by paying a fee of ten dollars (\$10.00) and giving the Division satisfactory proof that any of the following has occurred:~~

- (1) ~~He The license has been lost or destroyed his license; or destroyed.~~
- (2) ~~It is necessary to change the name or address on the license; or license.~~
- (3) ~~He has reached the age wherein he Because of the licensee's age, the licensee is entitled to a license with a different color photographic background."~~

Sec. 328. G.S. 20-37.7(d) reads as rewritten:

"(d) A special identification card issued under this section shall expire on the birth date of the holder in the fourth year of issuance. The fee for the issuance or reissuance of a special identification card ~~shall be five dollars (\$5.00) which shall be placed in the Highway Fund; provided that a is the same as the fee set in G.S. 20-14 for issuing a duplicate license.~~ A special identification card may be issued without fee to a resident of North Carolina who is legally blind or has attained the age of 70 years; ~~provided further that the 70. The fees collected for the issuance of special identification cards to persons under the age of 16 shall be placed in a reserve fund to cover the cost of the operation of the program required by this Article."~~

Sec. 329. G.S. 20-37.9 reads as rewritten:

"§ 20-37.9. Notification of change of address.

Whenever the holder of a special identification card issued under the provisions of G.S. 20-37.7 has a change in the address as shown on ~~such the~~ special identification card, he or she shall apply for reissuance of a special identification card within 60 days after the address has been changed. The fee for reissuance of ~~the a~~ special identification card ~~shall be five dollars (\$5.00). is the same as the fee set in G.S. 20-37.7 for issuing a special identification card. Provided that in those instances in which the If a change of address is through the result of governmental action and there is no actual change of geographical location, no change of address on the holder of the card shall be required until the expiration thereof or reissuance is applied for by the holder thereof. is not required to change the address on the card until the Division issues the holder another card."~~

Sec. 330. G.S. 20-26(c) reads as rewritten:

"(c) The Division shall furnish copies of license records required to be kept by subsection (a) of this section to other ~~persons, firms and corporations persons~~ for uses other than official upon prepayment of the fee therefor, according to the following schedule: following fees:

- | | | |
|---|--------|--------|
| (1) Limited extract copy of license record,
for period up to three years | \$4.00 | \$5.00 |
| (2) Complete extract copy of license record | 4.00 | 5.00 |
| (3) Certified true copy of complete license record | | 7.00. |

All fees received by the Division under the provisions of this subsection shall be paid into and become a part of the 'Highway Fund,' credited to the Highway Fund."

Sec. 331. G.S. 20-42(b) reads as rewritten:

"(b) The Commissioner and such officers of the Division as he may designate are hereby authorized to designate by the Commissioner may prepare under the seal of the Division and deliver upon request a certified copy of any record document of the Division, charging a fee of four dollars (\$4.00) five dollars (\$5.00) for each document so certified, and every such certified. A certified copy shall be admissible in any proceeding in any court in like manner as the original thereof, without further certification. Provided that any copy of any record of the Division The certification fee does not apply to a document furnished to State, State officials or to county, municipal and municipal, or court officials of this State for official use shall be furnished without charge, use."

Sec. 332. G.S. 20-73 reads as rewritten:

"§ 20-73. New owner to secure must get new certificate of title.

The transferee, within 20 days after the purchase of any vehicle, shall present the certificate of title endorsed and assigned as hereinbefore provided, to the Division and make application for a new certificate of title for such vehicle except as otherwise permitted in G.S. 20-75 and 20-76. Any transferee willfully failing or refusing to make application for title shall be guilty of a misdemeanor.

(a) Time Limit. — A person to whom a vehicle is transferred, whether by purchase or otherwise, must apply to the Division for a new certificate of title. An application for a certificate of title must be submitted within 28 days after the vehicle is transferred.

A person may apply directly for a certificate of title or may allow another person, such as the person from whom the vehicle is transferred or a person who has a lien on the vehicle, to apply for a certificate of title on that person's behalf. A person to whom a vehicle is transferred is responsible for getting a certificate of title within the time limit regardless of whether the person allowed another to apply for a certificate of title on the person's behalf.

(b) Exceptions. — This section does not apply to a dealer or an insurance company to whom a vehicle is transferred when the transfer meets the requirements of G.S. 20-75. A person who must follow the procedure in G.S. 20-76 to get a certificate of title and who applies for a title within the required 20-day time limit is considered to have complied with this section even when the Division issues a certificate of title to the person after the time limit has elapsed.

(c) Penalties. — A person to whom a vehicle is transferred who fails to apply for a certificate of title within the required time is subject to a civil penalty of ten dollars (\$10.00) and is guilty of a misdemeanor. A person who undertakes to apply for a certificate of title on behalf of another person and who fails to apply for a title within the required time is subject to a civil penalty of ten dollars (\$10.00). When a person to whom a vehicle is transferred fails to obtain a title within the required time because a person who undertook to apply for the certificate of title did not do so within the required time, the Division may impose a civil penalty only on the person who undertook to apply for the title. Civil penalties collected under this subsection shall be credited to the Highway Fund."

Sec. 333. G.S. 20-74 reads as rewritten:

"§ 20-74. Penalty for failure to make application for transfer within the time specified by law, making false statement about transfer of vehicle.

It is the intent and purpose of this Article that every new owner or purchaser of a vehicle previously registered shall make application for transfer of title within 20 days after acquiring same, or see that such application is sent in by the lienholder with proper fees, and responsibility for such transfer shall rest on the purchaser. Any person, firm or corporation failing to do so shall pay a penalty of four dollars (\$4.00) in addition to the fees otherwise provided in this Article. It is further provided that any dealer or owner who shall knowingly make any A dealer or another person who,

~~in an application required by this Division, knowingly makes a false statement in any application required by this Division as to about the date a vehicle was sold or acquired shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars (\$50.00) or imprisoned not more than 30 days. All moneys collected under this section shall go to the State Highway Fund."~~

Sec. 334. G.S. 20-119(b) reads as rewritten:

"(b) Upon the issuance of a special permit for an oversize or overweight vehicle by the Department of Transportation in accordance with this section, the applicant shall pay to the Department a fee of ~~five dollars (\$5.00)~~ ten dollars (\$10.00) for a single trip permit ~~or twenty-five dollars (\$25.00) and fifty dollars (\$50.00)~~ for an annual permit issued for a single vehicle. Any ~~person, firm or corporation~~ person who operates more than one vehicle may ~~apply for, and the Department may issue, obtain~~ an annual permit for all oversize or overweight vehicles operated by ~~said person, firm or corporation, and said applicant shall pay to the Department~~ the person upon payment of an annual fee based on the following schedule:

No. of Vehicles	Annual Permit Rate per Vehicle	
First 50	\$25.00	<u>\$50.00</u>
51 to 100	20.00	<u>40.00</u>
101 to 150	15.00	<u>30.00</u>
Over 150	10.00	<u>20.00</u>

Any vehicle required to obtain an overweight permit shall not be charged an additional fee for oversize. Any vehicle required to obtain an oversize permit shall not be charged an additional fee for overweight. This subsection shall not apply to farm equipment or machinery being used at the time for agricultural purposes, nor to the moving of a house as provided for by the license and permit requirements of Article 16 of this Chapter. Fees will not be assessed for permits for oversize and overweight vehicles issued to any agency of the United States Government or the State of North Carolina, its agencies, institutions, ~~subdivisions-subdivisions, or municipalities, provided municipalities~~ if the vehicle is registered in the name of such governmental body-the agency."

Sec. 335. G.S. 20-289(a), as amended by House Bill 904, 1991 Session, AN ACT TO REGULATE THE SALE OF MOTOR VEHICLES BY MOTOR VEHICLE DEALERS, reads as rewritten:

"(a) The license fee for each fiscal year, or part thereof, shall be as follows:

- (1) For motor vehicle dealers, distributors, distributor branches, and wholesalers, ~~thirty dollars (\$30.00)~~ fifty dollars (\$50.00) for each place of business.
- (2) For manufacturers, ~~seventy-five dollars (\$75.00), one hundred dollars (\$100.00), and for each factory branch in this State, forty-five dollars (\$45.00),~~ seventy dollars (\$70.00).
- (3) For motor vehicle sales representatives, ~~five dollars (\$5.00)-~~ ten dollars (\$10.00).
- (4) For factory representatives, or distributor representatives, ~~six dollars (\$6.00)-~~ ten dollars (\$10.00).
- (5) Repealed."

Sec. 336. G.S. 20-291, as amended by House Bill 904, 1991 Session, AN ACT TO REGULATE THE SALE OF MOTOR VEHICLES BY MOTOR VEHICLE DEALERS, reads as rewritten:

"§ 20-291. Representatives to carry license and display it on request; license to name employer.

Every person to whom a sales representative, factory representative, or distributor representative license is issued shall carry the license when engaged in business, and shall display it upon request. The license shall state the name of the representative's employer. If the representative changes employers, the representative shall immediately ~~mail the license to the Division, which shall endorse the change on the license~~

~~without charge, apply to the Division for a license that states the name of the representative's new employer. The fee for issuing a license stating the name of a new employer is one-half the fee set in G.S. 20-289 for an annual license."~~

Sec. 337. Notwithstanding G.S. 20-291, as amended by this act, for the period October 1, 1991, through June 30, 1992, the fee for issuing a license to a sales representative, a factory representative, or a distributor representative who has a license, has changed employers, and is therefore required to apply for a new license is five dollars (\$5.00). This section becomes effective October 1, 1991.

PART 56.-----CONVEYANCE TAX CHANGES

Sec. 338. G.S. 105-228.30 reads as rewritten:
 "§ 105-228.30. Imposition of excise stamp tax.

~~(a) There is hereby levied an excise tax on each deed, instrument instrument, or writing by which any lands, tenements or other realty shall be interest in real property is conveyed to another person. granted, assigned or otherwise conveyed to, or vested in, the purchaser or purchasers, or any other person or persons. The tax imposed hereby shall be at the rate of fifty cents (50 ¢) one dollar (\$1.00) on each five hundred dollars (\$500.00) or fractional part thereof of the consideration or value of the interest or property conveyed (exclusive of the value of any lien or encumbrance remaining thereon at the time of sale), conveyed. The tax hereby imposed and levied shall be paid by the transferor or transferors to the register of deeds of the county wherein in which the real estate is situated prior to recording the instrument of conveyance; provided that, if the instrument transfers any parcel of real estate lying in two or more counties, the tax shall be paid to the county wherein the greater part of the real estate with respect to value lies. Except as otherwise hereinafter provided, the proceeds of the tax herein levied shall be retained by the county and placed in its general funds.~~

(b) The register of deeds of each county shall remit the net proceeds of the tax levied by this section to the county finance officer on a monthly basis. The finance officer of each county shall distribute the tax proceeds on a monthly basis as follows: one-half of the net proceeds shall be retained by the county and placed in its general fund and one-half of the net proceeds shall be remitted to the Department of Revenue. Of the funds remitted to it pursuant to this section, the Department of Revenue shall credit fifteen percent (15%) to the Recreation and Natural Heritage Trust Fund established under G.S. 113-77.7 and the remainder to the General Fund. As used in this subsection, the term 'net proceeds' means gross proceeds less the cost to the county of collecting and administering the tax."

Sec. 339. G.S. 113-77.9 reads as rewritten:
 "§ 113-77.9. Acquisition of lands from the Recreation and Natural Heritage Trust Fund.

(a) From time to time, but at least once each year, the Secretary, the Chairman of the North Carolina Wildlife Resources Commission, and the Commissioner of Agriculture shall propose to the Trustees lands to be acquired from the Fund. For each tract or interest proposed, the Secretary, the Chairman of the North Carolina Wildlife Resources Commission, and the Commissioner of Agriculture shall provide the Trustees with the following information:

- (1) The value of the land for recreation, forestry, fish and wildlife habitat, and wilderness purposes, and its consistency with the plan developed pursuant to the State Parks Act, the State's comprehensive plan for outdoor recreation, parks, natural areas development, and wildlife management goals and objectives;
- (2) Any rare or endangered species on or near the land;
- (3) Whether the land contains a relatively undisturbed and outstanding example of a native North Carolina ecological community that is now uncommon;

- (4) Whether the land contains a major river or tributary, watershed, wetland, significant littoral, estuarine, or aquatic site, or important geologic feature;
- (5) The extent to which the land represents a type of landscape, natural feature, or natural area that is not currently in the State's inventory of parks and natural areas;
- (6) Other sources of funds that may be available to assist in acquiring the land;
- (7) The State department or division that will be responsible for managing the land; ~~and~~
- (8) What assurances exist that the land will not be used for purposes other than those for which it is being ~~acquired~~ acquired; and
- (9) Whether the site or structure is of such historical significance as to be essential to the development of a balanced State program of historic properties.

(b) The Trustees may authorize expenditures from the Fund to ~~acquire land; acquire:~~

- (1) ~~That Land that~~ represents the ecological diversity of North Carolina, including natural features such as riverine, montane, coastal, and geologic systems and other natural areas to ensure their preservation and conservation for recreational, scientific, educational, cultural, and aesthetic ~~purposes; and purposes.~~
- (2) ~~As Land as~~ additions to the system of parks, State trails, aesthetic forests, fish and wildlife management areas, wild and scenic rivers, and natural areas for the beneficial use and enjoyment of the ~~public~~ public.
- (3) Subject to the limitations of subsection (b1), land that contributes to the development of a balanced State program of historic properties.

The Trustees may designate managers or managing agencies of the lands so acquired to receive grants from the Fund's stewardship account. In authorizing expenditures from the Fund to acquire land pursuant to this Article, the Trustees shall be guided by any priorities established by the Secretary, the Chairman of the Wildlife Resources Commission, and the Commissioner of Agriculture in their proposals made pursuant to subsection (a), above.

(b1) The Trustees may authorize expenditure of up to twenty-five percent (25%) of the funds credited to the Fund pursuant to G.S. 105-228.30 during the preceding fiscal year to acquire land under subdivision (3) of subsection (b). No other funds in the Fund may be used for expenditures to acquire land under subdivision (3) of subsection (b).

(c) The Trustees may authorize expenditures from the Fund to pay for the inventory of natural areas by the Secretary's Natural Heritage Program conducted pursuant to Chapter 113A, Article 9A, of the General Statutes.

(d) The Department of Administration may, pursuant to G.S. 143-341, acquire by purchase, gift, or devise all lands selected by the Trustees for acquisition pursuant to this Article. Title to any land acquired pursuant to this Article shall be vested in the State. State agencies with management responsibilities for lands acquired pursuant to this Article may enter into management agreements in the form of leases with counties, cities, and towns to aid in managing the lands, and such lease agreements shall be executed by the Department of Administration pursuant to G.S. 143-341.

(e) The Secretary shall maintain and annually revise a list of acquisitions made pursuant to this Article. The list shall include the acreage of each tract, the county in which the tract is located, the amount paid from the Fund to acquire the tract, and the State department or division responsible for managing the tract. The Secretary shall furnish a copy of the list to each Trustee and to each House of the General Assembly after each revision.

(f) No provision of this Article shall be construed to eliminate hunting and fishing, as regulated by the laws of the State of North Carolina, upon properties purchased pursuant to this Article."

TITLE V. - BUDGET REFORM

PART 57.-----BUDGET REFORM

-----LONG-TERM FISCAL NOTES

Sec. 340. Article 7A of Chapter 120 of the General Statutes is amended by adding a new section to read:

"§ 120-36.7. Long-term fiscal notes.

(a) Budget Outlook: Proposed Legislation. — Every fiscal analysis of the State budget outlook shall encompass the upcoming five-year period. Every fiscal analysis of the impact of proposed legislation on the State budget shall estimate the impact for the first five fiscal years the legislation would be in effect.

(b) Proposed State Buildings. — Upon the request of a member of the General Assembly, the Fiscal Research Division shall prepare a fiscal analysis of proposed legislation to appropriate funds for a State building. The analysis shall estimate the projected maintenance and operating costs of the building for the first 20 fiscal years after it is completed.

(c) Proposed New Programs. — Upon the request of a member of the General Assembly, the Fiscal Research Division shall prepare a fiscal analysis of proposed legislation to create a new State program. The analysis shall identify and estimate all personnel costs of the proposed new program for the first five fiscal years it will operate.

(d) Proposed Increases in Incarceration. — Every bill and resolution introduced in the General Assembly proposing any change in the law that could cause a net increase in the length of time for which persons are incarcerated or the number of persons incarcerated, whether by increasing penalties for violating existing laws, by criminalizing behavior, or by any other means, shall have attached to it at the time of its consideration by the General Assembly a fiscal note prepared by the Fiscal Research Division. The fiscal note shall be prepared in consultation with the Sentencing Policy and Advisory Commission and shall identify and estimate, for the first five fiscal years the proposed change would be in effect, all costs of the proposed net increase in incarceration, including capital outlay costs if the legislation would require increased cell space. If, after careful investigation, the Fiscal Research Division determines that no dollar estimate is possible, the note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can be given. No comment or opinion shall be included in the fiscal note with regard to the merits of the measure for which the note is prepared. However, technical and mechanical defects may be noted.

The sponsor of each bill or resolution to which this subsection applies shall present a copy of the bill or resolution with the request for a fiscal note to the Fiscal Research Division. Upon receipt of the request and the copy of the bill or resolution, the Fiscal Research Division shall prepare the fiscal note as promptly as possible. The Fiscal Research Division shall prepare the fiscal note and transmit it to the sponsor within two weeks after the request is made, unless the sponsor agrees to an extension of time.

This fiscal note shall be attached to the original of each proposed bill or resolution that is reported favorably by any committee of the General Assembly, but shall be separate from the bill or resolution and shall be clearly designated as a fiscal note. A fiscal note attached to a bill or resolution pursuant to this subsection is not a part of the bill or resolution and is not an expression of legislative intent proposed by the bill or resolution.

If a committee of the General Assembly reports favorably a proposed bill or resolution with an amendment that proposes a change in the law that could cause a net increase in the length of time for which persons are incarcerated or the number of

persons incarcerated, whether by increasing penalties for violating existing laws, by criminalizing behavior, or by any other means, the chair of the committee shall obtain from the Fiscal Research Division and attach to the amended bill or resolution a fiscal note as provided in this section."

Sec. 341. G.S. 143-3.5 reads as rewritten:

"§ 143-3.5. Coordination of statistics.

It shall be the duty of the Director through the Office of State Budget and Management to coordinate the efforts of governmental agencies in the collection, development, dissemination and analysis of official economic, demographic and social statistics pertinent to State budgeting. The ~~Division Office~~ shall

- (1) Prepare ~~and/or~~ and release the official demographic and economic estimates ~~and/or~~ and projections for the State;
- (2) Conduct special economic and demographic analyses and studies to support statewide budgeting;
- (3) Develop and coordinate cooperative arrangements with federal, State and local governmental agencies to facilitate the exchange of data to support State budgeting;
- (4) Compile, maintain, and disseminate information about State programs which involve the distribution of State aid funds to local governments including those variables used in their allocation; and,
- (5) Develop and maintain in cooperation with other State and local governmental agencies, an information system providing comparative data on resources and expenditures of local governments.

Every fiscal analysis prepared by the Director or the Office of State Budget and Management addressing the State budget outlook shall encompass the upcoming five-year period. Every fiscal analysis prepared by the Director or the Office of State Budget and Management addressing the impact of proposed legislation on the State budget shall estimate the impact for the first five fiscal years the legislation would be in effect. To minimize duplication of effort in collecting or developing new statistical series pertinent to State planning and budgeting, including contractual arrangements, State agencies must submit to the Director of the Budget proposed procedures and funding requirements.

This section shall not apply to the General Assembly, any of its committees and subcommittees, the Legislative Research Commission, the Legislative Services Commission, or any other committee or commission in the legislative branch."

-----CLARIFY STATE COST OF LOCAL PROGRAMS

Sec. 342. G.S. 143-10.1 is repealed.

-----LIMIT NUMBER OF STATE EMPLOYEES

Sec. 343. G.S. 143-10.2 reads as rewritten:

"§ 143-10.2. Limit on number of State employees.

The total number of permanent ~~State-funded~~ State-funded employees, excluding employees in the State's public school system funded by way of State aid to local public school units, shall not be increased by the end of any State fiscal year by a greater percentage than the percentage rate of the residential population growth for the State of North Carolina. The percentage rates shall be computed by the Office of State Budget and Management. The population growth shall be computed by averaging the rate of residential population growth in each of the preceding 10 fiscal years as stated in the annual estimates of residential population in North Carolina made by the United States Census Bureau. The growth rate of the number of employees shall be computed by averaging the rate of growth of State employees in each of the preceding 10 fiscal years as of July 1 of each fiscal year as stated in the State Budget."

Sec. 344. The limitation on the number of State employees contained in G.S. 143-10.2 does not apply to the Department of Transportation with respect to additional employees in administrative positions and to the Division of Highways with respect to operational and field positions when those administrative, operational, and field positions are needed to plan, design, and construct the specific projects funded by the North Carolina Highway Trust Fund. The Department shall report the

number of employees hired and the number of those hired, if any, that exceeds the limitation in G.S. 143-10.2 to the Joint Legislative Highway Oversight Committee and the Joint Legislative Commission on Governmental Operations.

-----MAINTENANCE RESERVE RECOMMENDATIONS

Sec. 345. The Office of State Budget and Management shall report to the 1993 General Assembly, on or before February 15, 1993, its recommendations on how to create a maintenance reserve to assure the continued availability of funds for repair, renovation, and maintenance of State buildings.

-----LIMITATIONS ON BUDGET

Sec. 346. The Executive Budget Act, Article 1 of Chapter 143 of the General Statutes, is amended by adding the following new sections to read:

"§ 143-15.1. Current Operations Appropriations Act.

The General Assembly shall enact the Current Operations Appropriations Act by June 15 of odd-numbered years and by June 30 of even-numbered years in which a Current Operations Appropriations Act is enacted. The Current Operations Appropriations Act shall state the amount of General Fund appropriations availability upon which the General Fund budget is based. The statement of availability shall list separately the beginning General Fund credit balance, General Fund revenues, and any other components of the availability amount.

The General Fund operating budget appropriations, including appropriations for local tax reimbursements and local tax sharing, for the second year in a Current Operations Appropriations Act that contains a biennial budget shall not be more than two percent (2%) greater than the General Fund operating budget appropriations for the first year of the biennial budget.

"§ 143-15.2. Appropriation of General Fund credit balance.

The General Assembly shall appropriate up to one-fourth of any anticipated credit balance remaining in the General Fund at the end of each fiscal year to the Savings Reserve Account as provided in G.S. 143-15.3. The General Assembly may appropriate that part of the anticipated credit balance not appropriated to the Savings Reserve Account only for capital improvements or other one-time expenditures.

"§ 143-15.3. Savings Reserve Account.

(a) There is established a Savings Reserve Account as a special revenue fund in the State treasury. The General Assembly shall appropriate to the Savings Reserve Account one-fourth of any anticipated credit balance remaining in the General Fund at the end of each fiscal year until the account contains funds equal to five percent (5%) of the amount appropriated the preceding year for the General Fund operating budget, including local government tax reimbursements and local government tax-sharing funds. If the balance in the Savings Reserve Account falls below this level during a fiscal year, the General Assembly shall appropriate to the Savings Reserve Account for the following fiscal years up to one-fourth of any anticipated credit balance remaining in the General Fund at the end of each fiscal year until the account again equals five percent (5%) of the amount appropriated the preceding year for the General Fund operating budget, including local government tax reimbursements and local government tax-sharing funds.

(b) The Director may not use funds in the Savings Reserve Account unless the use has been approved by an act of the General Assembly.

"§ 143-15.4. General Fund operating budget size limited.

(a) Size Limitation. Except as otherwise provided in this section, the General Fund operating budget each fiscal year shall not be greater than seven percent (7%) of the projected total State personal income for that fiscal year. For the purpose of this section, the General Fund operating budget includes any appropriations for local tax reimbursements and local tax-sharing, but does not include appropriations for (i) capital expenditures or (ii) one-time expenditures due to natural disasters, federal mandates, or other emergencies.

(b) Increase in Size Limitation. To the extent that any percent increase in appropriations for a fiscal year for (i) Medicaid, (ii) operation of prisons, or (iii) the costs of providing health insurance for teachers and State employees, exceeds the

percent increase in State personal income growth for the same period, the limitation on the size of the General Fund operating budget provided in subsection (a) of this section for that fiscal year shall be increased by the dollar amount represented by the excess percentage. For all subsequent fiscal years, the percent limitation contained in subsection (a) shall then be increased to reflect that dollar adjustment.

(c) Fiscal Reports. The Office of State Budget and Management and the Fiscal Research Division of the General Assembly shall each submit a tentative estimate of total State personal income for the upcoming fiscal year to the General Assembly no later than February 1 of each year. The Office and the Fiscal Research Division shall each submit a final projection of total State personal income for the upcoming fiscal year to the General Assembly no later than May 1 of each year. The General Assembly shall use the lower of the two final projections to calculate the limitation on the size of the General Fund operating budget provided in this section."

-----STATE GOVERNMENT PERFORMANCE AUDIT

Sec. 347. (a) The Legislative Services Commission shall contract for a performance audit of the executive branch of State government and a performance audit of the staff of the legislative branch of State government. The Legislative Services Commission shall report the results of these audits to the 1993 General Assembly on or before February 1, 1993.

The performance audit in the executive branch shall include an examination of the efficiency and effectiveness of major management policies, practices, and functions across all executive branch agencies, including the following areas:

- (1) Planning, budgeting, and program evaluation policies and practices.
- (2) Personnel systems operations and management.
- (3) State purchasing operations and management.
- (4) Information processing and telecommunications systems policy, organization, and management.
- (5) Organizational and staffing patterns, especially in terms of the ratio of managers and supervisors to nonmanagement personnel.

Performance audits in executive branch agencies may examine entire departments, agencies, or institutions, or similar programs in several departments.

(b) There is appropriated from the General Fund to the General Assembly the sum of three million dollars (\$3,000,000) for the 1991-92 fiscal year to contract for the performance audits required by this section. These funds shall not revert at the end of the 1991-92 fiscal year but shall remain available for expenditure in the 1992-93 fiscal year for the performance audits required by this section. The funds appropriated from the General Fund in this subsection are from the proceeds of the North Carolina Corporation Income Tax.

-----BUDGET REFORM STUDY

Sec. 348. Joint Select Fiscal Trends and Reform Commission.

(a) There is created in the General Assembly the Joint Select Fiscal Trends and Reform Commission. The Commission shall review the long-term fiscal trends identified by the Economic Future Study Commission and to analyze the impact of these and other trends on the State budget during the 1990s. The Commission shall also continue the work of the House Special Select Subcommittee on Fiscal Reform, begun during the 1991 Session of the General Assembly, to identify the factors that have contributed to the financial problems the State has faced during the past two years and recommend measures to avoid a recurrence of those problems to the extent they are within the control of the State of North Carolina. The Commission's work shall include:

- (1) Monitoring the implementation of the State budget reform measures adopted in this act.
- (2) Analyzing options to address the effect on the State budget of federal legislative and judicial mandates.
- (3) Reviewing the condition of programs directed at ensuring an adequate work force for the 1990s.
- (4) Analyzing options to address future General Fund budget shortfalls.

- (5) Studying the feasibility of modifying the State's accounting practices to improve the State's balance sheet by treating as accrued (i) sales tax proceeds that have been collected on behalf of the State by merchants but have not yet been remitted and (ii) other tax proceeds that have been collected on behalf of the State but have not yet been remitted.
- (6) Reviewing the fiscal relationship between the State and its local governments by examining State and local government revenue sources and the allocation of responsibility among the State and its local governments for financing and performing government services. In its work pursuant to this subdivision, the Commission shall examine:
 - a. Whether local government tax sharing and local government tax reimbursements should be financed by appropriation or by earmarking.
 - b. Whether the State should provide local governments with additional revenue options.
 - c. Whether a more adequate and dependable means of financing State and local government services should be devised.
 - d. Whether State and local responsibilities for providing government services should be reallocated.
 - e. How the fiscal relationship between the State and local governments, particularly the lack of uniform tax rates that results from local option taxes, affects economic development.
 - f. The effectiveness of the Local Government Fiscal Information Act, Article 6D of Chapter 120 of the General Statutes.
 - g. How the timing of the State's budget process affects the ability of local governments to comply with the deadlines imposed in the Local Government Budget and Fiscal Control Act.
- (b) The Commission shall consist of 22 members to be appointed as follows:
 - (1) Eight members of the Senate appointed by the President Pro Tempore of the Senate, one of whom shall be designated cochair.
 - (2) Three public members appointed by the President Pro Tempore of the Senate.
 - (3) Eight members of the House of Representatives appointed by the Speaker of the House of Representatives, one of whom shall be designated cochair.
 - (4) Three public members appointed by the Speaker of the House of Representatives.

In making the appointments, the President Pro Tempore of the Senate and the Speaker of the House of Representatives shall attempt to select members who are representative of all North Carolinians, including representatives of business and industry, professionals, local governments, major political parties, educators, ethnic groups, environmental advocates, low-income citizens, and consumers.

(c) The Commission may submit an interim report of its findings and recommendations to the 1992 Regular Session of the General Assembly by filing a report with the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives. The Commission shall submit a final report of its findings and recommendations to the 1993 General Assembly on or before February 1, 1993, by filing a report with the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate. The Commission shall terminate upon filing its final report.

(d) Members appointed to the Commission shall serve until the Commission makes its final report. Vacancies on the Commission shall be filled by the same appointing officer who made the original appointments.

(e) The Commission may contract for consultant services as provided by G.S. 120-32.02. Upon approval of the Legislative Services Commission, the Legislative Administrative Officer shall assign professional and clerical staff to assist in the work of the Commission. Clerical staff shall be furnished to the Commission through the

offices of House and Senate supervisors of clerks. The expenses of employment of the clerical staff shall be borne by the Commission. The Commission may meet in the Legislative Building or the Legislative Office Building upon the approval of the Legislative Services Commission. The Commission, while in the discharge of official duties, may exercise all the powers provided under the provisions of G.S. 120-19 through G.S. 120-19.4.

(f) Members of the Commission shall receive per diem, subsistence, and travel allowances as follows:

- (1) Commission members who are also General Assembly members, at the rate established in G.S. 120-3.1.
- (2) Commission members who are officials or employees of the State or local government agencies, at the rate established in G.S. 138-6.
- (3) All other Commission members, at the rate established in G.S. 138-5.

TITLE VI. - OTHER

PART 58.-----MISCELLANEOUS APPROPRIATIONS PROVISIONS

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler

-----APPLICATION OF TITLE

Sec. 348.1. The sections under this Part apply to Titles I, II, and III of this act.

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler

-----EFFECT OF HEADINGS

Sec. 349. The headings to the Parts and sections of this act are a convenience to the reader and are for reference only. The headings do not expand, limit, or define the text of this act.

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler

-----EXECUTIVE BUDGET ACT REFERENCE

Sec. 350. The provisions of the Executive Budget Act, Chapter 143, Article 1 of the General Statutes, are reenacted and shall remain in full force and effect and are incorporated in this act by reference.

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler

-----COMMITTEE REPORT

Sec. 351. The Joint Appropriations Committee House/Senate Base and Expansion Budget Report and the Joint Appropriations Committee House/Senate Base and Expansion Budget Conference Report dated July 11, 1991, which were distributed in the House and Senate and used to explain this act, shall indicate action by the General Assembly on this act and shall therefore be used to construe this act, as provided in G.S. 143-15 of the Executive Budget Act, and for these purposes shall be considered a part of this act. (See Addendum)

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler

-----MOST TEXT APPLIES ONLY TO 1991-93

Sec. 352. Except for statutory changes or other provisions that clearly indicate an intention to have effects beyond the 1991-93 biennium, the textual provisions of Titles I, II, and III of this act shall apply only to funds appropriated for and activities occurring during the 1991-93 biennium.

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler

-----SEVERABILITY CLAUSE

Sec. 353. If any section or provision of this act is declared unconstitutional or invalid by the courts, it does not affect the validity of the act as a whole or any part other than the part so declared to be unconstitutional or invalid.

Requested by: Representatives Nesbitt, Diamont, Senators Basnight, Plyler

-----EFFECTIVE DATE

Sec. 354. Except as otherwise provided, Titles I, II, and III of this act become effective July 1, 1991.

PART 59.-----MISCELLANEOUS REVENUE PROVISIONS

-----SAVINGS CLAUSE

Sec. 355. This act does not affect the rights or liabilities of the State, a taxpayer, or another person arising under a statute amended or repealed by this act before its amendment or repeal; nor does it affect the right to any refund or credit of a tax that would otherwise have been available under the amended or repealed statute before its amendment or repeal.

-----DEPARTMENT OF REVENUE FUNDS

Sec. 356. To pay for the additional costs of implementing the provisions of this act in a timely manner, the Department of Revenue shall retain the sum of seven hundred thousand dollars (\$700,000) from collections received by the Department during July 1991 under Article 5 of Chapter 105 of the General Statutes.

-----EFFECTIVE DATE

Sec. 357. Titles IV, V, and VI of this act are effective as follows:

- (1) Part 46 — Internal Revenue Code Update. Part 46 of this act is effective for taxable years beginning on or after January 1, 1991.
- (2) Part 47 — Corporate Income Tax Changes. The amendment to G.S. 115C-546.1 in Part 47 of this act becomes effective October 1, 1991, and applies to remittances made on or after that date. The remainder of Part 47 of this act is effective for taxable years beginning on or after January 1, 1991. G.S. 105-130.3A, as enacted by Part 47 of this act, expires for taxable years beginning on or after January 1, 1995.
- (3) Part 48 — Cigarette Tax Changes. Part 48 of this act becomes effective August 1, 1991.
- (4) Part 49 — Other Tobacco Tax Changes. Part 49 of this act becomes effective January 1, 1992.
- (5) Part 50 — Soft Drink Tax Administrative Changes. Part 50 of this act becomes effective October 1, 1991.
- (6) Part 51 — Insurance Tax Changes and Regulatory Charge. G.S. 143-151.21, as enacted by Part 51 of this act, and the amendments to G.S. 58-69-40, 58-70-45, and 58-71-180 in Part 51 of this act, become effective July 1, 1992. The repeal of G.S. 58-48-75, as provided in Part 51 of this act, becomes effective July 1, 1991. The remainder of Part 51 of this act is effective for taxable years beginning on or after January 1, 1991.
- (7) Part 52 — Individual Income Tax Changes. Part 52 of this act is effective for taxable years beginning on or after January 1, 1991.
- (8) Part 53 — Alcohol Tax Changes. The amendment to G.S. 18B-804(b)(9) in Part 53 of this act becomes effective October 1, 1991, and applies to sales made on or after that date. The amendments to the remainder of G.S. 18B-804 and to G.S. 18B-805 in Part 53 of this act become effective August 1, 1991, and apply to sales made on or after that date. The amendments to G.S. 18B-1004 in Part 53 of this act become effective August 1, 1991. The remainder of Part 53 of this act becomes effective May 1, 1992, and applies to permits and licenses issued or renewed on or after that date.
- (9) Part 54 — Sales Tax Changes. Part 54 of this act becomes effective July 16, 1991, and applies to sales made on or after that date.
- (10) Part 55 — Highway Tax Changes. The amendment to G.S. 20-289(a) in Part 55 of this act becomes effective July 1, 1992. The amendment to G.S. 20-291 in Part 55 of this act becomes effective October 1, 1991. Except as otherwise provided in Part 55 of this act, the remainder of Part 55 of this act becomes effective August 1, 1991.

- (11) Part 56 — Conveyance Tax Changes. Part 56 of this act becomes effective August 1, 1991, and applies to transfers made on or after that date.
- (12) Part 57 — Budget Reform. G.S. 120-36.7, as enacted by Part 57 of this act, and the amendment to G.S. 143-3.5 in Part 57 of this act, are effective beginning with fiscal estimates addressing the 1992-93 fiscal year. G.S. 143-15.1, as enacted by Part 57 of this act, is effective beginning with the 1992-93 budget. G.S. 143-15.2 and G.S. 143-15.3, as enacted by Part 57 of this act, are effective beginning with the General Fund credit balance at the end of the 1992-93 fiscal year. G.S. 143-15.4, as enacted by Part 57 of this act, is effective beginning with the 1993-94 General Fund operating budget, and may be used as a guide in preparing the 1992-93 General Fund operating budget. Except as otherwise provided in Part 57 of this act, the remainder of Part 57 of this act is effective upon ratification.
- (13) Remainder of Titles IV, V, and VI. The remainder of Titles IV, V, and VI of this act is effective upon ratification.

**CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE NO. 2 FOR H.B. 929**

PCCS 3245, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND OTHER CHANGES TO THE LAW.

The General Assembly of North Carolina enacts:

Section 1. G.S. 1-567.58(c), as enacted by Section 1 of Chapter 292 of the 1991 Session Laws, reads as rewritten:

“(c) The arbitral tribunal shall decide *ex aequo et bono* (on the basis of fundamental fairness), or as *amiable compositeur* (as an ‘amiable ~~pompounder~~’, compounder’), only if the parties have expressly authorized it to do so.”

Sec. 2. G.S. 7A-38(h), as enacted by Section 1 of Chapter 207 of the 1991 Session Laws, reads as rewritten:

“(h) Sanctions. Upon failure of a party or attorney to attend a court ordered mediated settlement conference to the extent required by this section and rules promulgated by the Supreme Court, a resident or presiding judge may impose any lawful sanction, including but not limited to the payment of ~~attorneys~~ attorneys’ fees, mediator fees, and expenses incurred in attending the conference, contempt, or any other sanction authorized by G.S. 1A-1, Rule 37(b).”

Sec. 3. G.S. 7A-451.1 reads as rewritten:

“§ 7A-451.1. Counsel fees for outpatient involuntary commitment proceedings.

The State shall pay counsel fees for persons appointed pursuant to ~~G.S. 122-58.7A-1~~. G.S. 122C-267(d).”

Sec. 4. G.S. 7A-455(d) reads as rewritten:

“(d) In all cases in which the entry of a judgment is authorized under G.S. 7A-450.1 through G.S. 7A-450.4 or under this section, the attorney, guardian *ad litem*, public defender, or appellate defender who rendered the services or incurred the expenses for which the judgment is to be entered shall obtain the social security number, if any, of each person against whom judgment is to be entered. This number, or a certificate that the person has no social security number, shall be included in each fee application submitted by an assigned attorney,

guardian *ad litem*, public defender, or appellate defender, and no order for payment entered upon an application which does not include the required social security number or certification shall be valid to authorize payment to the applicant from the Indigent Persons' Attorney Fee Fund. Each judgment docketed against any person under this section or under ~~G.S. 450.3~~ G.S. 7A-450.3 shall include the social security number, if any, of the judgment debtor."

Sec. 5. G.S. 20-37.6(e), as amended by Section 4 of Chapter 530 of the 1991 Session Laws, reads as rewritten:

"(e) Enforcement of Handicapped Parking Privileges. -- It shall be unlawful:

- (1) To park or leave standing any vehicle in a space designated with a sign pursuant to subsection (d) of this section for handicapped persons or visually impaired persons when the vehicle does not display the distinguishing license plate, placard, or identification card as provided in this section or a disabled veteran registration plate issued pursuant to ~~G.S. 20-81.4[;]~~ G.S. 20-81.4;
- (2) For any person not qualifying for the rights and privileges extended to handicapped or visually impaired persons under this section to exercise or attempt to exercise such rights or privileges by the unauthorized use of a distinguishing license plate, placard, or identification card issued pursuant to the provisions of this section;
- (3) To park or leave standing any vehicle so as to obstruct a curb ramp or curb cut for handicapped persons as provided for by the North Carolina Building Code or as designated in G.S. 136-44.14;
- (4) For those responsible for designating parking spaces for the handicapped to erect or otherwise use signs not conforming to G.S. 20-37.6(d) for this purpose.

This section is enforceable in all public vehicular areas specified in G.S. 20-4.01(32)."

Sec. 6. G.S. 20-117.1(a), as amended by Section 1 of Chapter 113 of the 1991 Session Laws, reads as rewritten:

"(a) Rear-Vision Mirrors. -- Every bus, truck, and truck tractor with a GVWR of 10,001 pounds or more shall be equipped with two rear-vision mirrors, one at each side, firmly attached to the outside of the motor vehicle, and located as to reflect to the driver a view of the highway to the rear and along both sides of the vehicle. Only one outside mirror shall be required, on the driver's side, on trucks which are so constructed that the driver also has a view to the rear by means of an interior mirror. In driveway-towaway operations, a driven vehicle shall have at least one mirror furnishing a clear view to the rear, and if the interior mirror does not provide the clear view, an additional mirror shall be attached to the left side of the driven vehicle to provide the clear view to the rear."

Sec. 7. G.S. 20-183.2(a), as amended by Section 1 of Chapter 394 of the 1991 Session Laws, reads as rewritten:

"(a) Every motor vehicle, trailer, semitrailer, and pole trailer not including trailers of a gross weight of less than 4,000 pounds and house trailers, registered or required to be registered in North Carolina when

operated on the streets and highways of this State must display a current approved State or federal inspection certificate as required by the Federal Motor Carrier Safety Regulations at such place on the vehicle as may be designated by the Commissioner, indicating that it has been inspected in accordance with this Part. Gasoline-powered vehicles over 26,001 pounds shall be subject to emission control device and exhaust emission testing required under G.S. 20-128.2. Such motor vehicle shall thereafter be inspected and display a current inspection certificate as is required by subsection (b) hereof."

Sec. 8. All of the matter set out in G.S. 47D-6 and G.S. 47D-9, as enacted by Section 1 of Chapter 261 of the 1991 Session Laws, is new law.

Sec. 9. G.S. 47D-8(a), as enacted by Section 1 of Chapter 261 of the 1991 Session Laws, reads as rewritten:

"(a) The notice of settlement shall be effective as provided in ~~G.S. 47D-7(a)~~ G.S. 47D-7 from the time of, and for three business days following the day of, filing of the notice of settlement pursuant to this Chapter. If the deed or mortgage delivered pursuant to a settlement for which the notice was filed has not been properly registered in the county where the real property is situated within the three business day period, the notice of settlement shall become absolutely void, and the priority of the grantee or mortgagee under the deed or mortgage registered subsequent to said three business day period shall date from the time of registration of the deed or mortgage, and not from the time of the filing of the notice of settlement."

Sec. 10. G.S. 58-50-125(e), as enacted by Section 1 of Chapter 630 of the 1991 Session Laws, reads as rewritten:

"(e) No small employer carrier is required to offer coverage or accept applications under subsection (d) of this section:

- (1) From a group already covered under a health benefit plan except for coverage that is to begin after the group's anniversary date, but this subsection shall not be construed to prohibit a group from seeking coverage or a small employer carrier from issuing coverage to a group before its anniversary date; or
- (2) If the Commissioner determines that acceptance of an application or applications would result in the carrier being declared an impaired insurer; or
- (3) To groups of fewer ~~than~~ than five eligible employees where the small employer carrier does not use preexisting-conditions provisions in all health benefit plans it issues to any small employers.

If a small employer carrier who does not use preexisting conditions chooses to market to groups of less than five, then it shall immediately notify the Commissioner and the Board, and it shall do so consistently and equally to all such small employer groups."

Sec. 11. G.S. 58-64-35(a)(2), as rewritten by Section 6 of Chapter 196 of the 1991 Session Laws, reads as rewritten:

- "(2) ~~than~~ The remaining seventy-five percent (75%) of es-crowed monies can be released when:
- a. (i) the provider has presold a minimum of seventy-five percent (75%) of the independent living units,

having received a minimum ten percent (10%) deposit on the presold units, or has maintained an independent living unit occupancy minimum of seventy-five percent (75%) for at least 60 days; (ii) construction or purchase of the independent living unit has been completed and an occupancy permit, if applicable, has been issued by the local government having authority to issue such permits; and (iii) the living unit becomes available for occupancy by the new resident; or

- b. the provider submits a plan of reorganization that is accepted and approved by the Commissioner."

Sec. 12. G.S. 58-64-35(c), as enacted by Section 6 of Chapter 196 of the 1991 Session Laws, reads as rewritten:

"(c) Release of any escrowed funds that may be due to the subscriber or resident shall occur upon: five working ~~days~~ days' notice of death, nonacceptance by the facility, or voluntary cancellation. If voluntary cancellation occurs after construction has begun, the refund may be delayed until a new subscriber is obtained for that specific unit, provided it does not exceed a period of two years."

Sec. 12.1. G.S. 70-48(5), as enacted by Section 2 of Chapter 461 of the 1991 Session Laws, reads as rewritten:

"(5) 'State Archaeologist' means the head of the ~~Office of State Archaeology, Archaeology Branch, Archaeology and Historic Preservation Section,~~ Division of Archives and History, Department of Cultural Resources."

Sec. 12.2. G.S. 70-50, as enacted by Section 2 of Chapter 461 of the 1991 Session Laws, reads as rewritten:

"§ 70-50. Site Steward Program.

The Department of Cultural Resources may create and maintain a volunteer program for purposes of monitoring the condition of archaeological resources listed in the Record. This program shall be known as the Site Steward Program and will be administered through the ~~Office of State Archaeology~~ Department in cooperation with local and statewide archaeological societies and groups."

Sec. 12.3. The second paragraph of G.S. 20-279.21(b)(4), as amended by Chapter 646 of the 1991 Session Laws, reads as rewritten:

"In any event, the limit of underinsured motorist coverage applicable to any claim is determined to be the difference between the amount paid to the claimant under the exhausted liability policy or policies and the limit of underinsured motorist coverage applicable to the motor vehicle involved in the accident. Furthermore, if a claimant is an insured under the underinsured motorist coverage on separate or additional policies, the limit of underinsured motorist coverage applicable to the claimant is the difference between the amount paid to the claimant under the exhausted liability policy or policies and the total limits of the claimant's underinsured motorist coverages as determined by combining the highest limit available under each policy; ~~instances where more than one policy may apply, the benefit of all limits of liability of underinsured motorist covered under all such policies;~~ provided that this sentence shall apply

only to insurance on nonfleet private passenger motor vehicles as described in G.S. 58-40-15(9) and (10). The underinsured motorist limits applicable to any one motor vehicle under a policy shall not be combined with or added to the limits applicable to any other motor vehicle under that policy."

Sec. 12.4. G.S. 90-357(a)(4)e., as enacted by House Bill 881, 1991 Session, reads as rewritten:

"e. Is a member of a recognized denomination or faith group that recognizes the applicant's status as a rabbi, priest, minister, or religious ~~leader~~; leader, as defined in the Federal Internal Revenue ~~Code~~; Code."

Sec. 13. G.S. 87-21(e), as amended by Section 1 of Chapter 355 of the 1991 Session Laws, reads as rewritten:

"(e) Posting License; License Number on Contracts, etc. -- The current license issued in accordance with the provisions of this Article shall be posted in the business location of the licensee, and its number shall appear on all proposals or contracts and requests for permits issued by municipalities. The initial qualified licensee on a license is the permanent possessor of the license number under which that license is issued, except that a licensee, or the licensee's legal agent, personal representative, heirs or assigns, may designate in writing to the Board a qualified licensee to whom the Board shall assign the license number upon the payment of a ten ~~dollars~~ dollar (\$10.00) assignment fee. Upon such assignment, the qualified licensee becomes the permanent possessor of the assigned license number. Notwithstanding the foregoing, the license number may be assigned only to a qualified licensee who has been employed by the initial licensee's plumbing and heating company for at least 10 years or is a lineal relative, sibling, first cousin, nephew, niece, daughter-in-law, son-in-law, brother-in-law, or sister-in-law of the initial licensee. Each successive licensee to whom a license number is assigned under this subsection may assign the license number in the same manner as provided in this subsection."

Sec. 14. G.S. 90-270.15(a), as amended by Section 1 of Chapter 239 of the 1991 Session Laws, reads as rewritten:

"(a) Any applicant for licensure and any person licensed under this Article shall have behaved in conformity with the ethical and professional standards specified in this section and in the rules and regulations of the Board. The Board may deny, suspend, revoke, discipline, place on probation, limit, or require remediation or rehabilitation, all as provided for in subsection (f) below, upon proof that the applicant or the person to whom the ~~licenses~~ license was issued:

- (1) Has been convicted of a felony or entered a plea of guilty or **nolo contendere** to any felony charge;
- (2) Has been convicted of or entered a plea of guilty or **nolo contendere** to any misdemeanor involving moral turpitude, misrepresentation or fraud in dealing with the public, or conduct otherwise relevant to fitness to practice psychology, or a misdemeanor charge reflecting the inability to practice psychology with due regard to the health and safety of clients or patients;

- (3) Has engaged in fraud or deceit in securing or attempting to secure a license under this Article or the renewal thereof or has willfully concealed from the Board material information in connection with application for or renewal of a license under this Article;
- (4) Repealed by Session Laws 1991, c. 239, s. 1.
- (4a) Has demonstrated an inability to practice psychology with reasonable skill and safety by reason of illness, inebriation, misuse of drugs, narcotics, alcohol, chemicals, or any other substance affecting mental or physical functioning, or as a result of any mental or physical condition;
- (5) Has practiced any fraud, deceit, or misrepresentation upon the public, the Board, or upon any individual in connection with the practice of psychology, the offer of psychological services, the filing of Medicare, Medicaid, or other claims to any third party payor, or in any manner otherwise relevant to fitness for the practice of psychology;
- (6) Has made fraudulent, misleading, or intentionally or materially false statements pertaining to education, licensure, professional credentials, or related to qualifications or fitness for the practice of psychology to the public, any individual, the Board, or any other organization;
- (7) Has had a license or certification for the practice of psychology in any other state, or territory of the United States, or any other country, suspended or revoked, or has been disciplined by any other state or territorial licensing or certification board for conduct which would subject him to discipline under this Article;
- (8) Has been guilty of immoral, dishonorable, unprofessional, or unethical conduct as defined in this subsection, in subsection (a1) below, or in the then-current code of ethics of the American Psychological Association, except as the provisions of such code of ethics may be inconsistent and in conflict with the provisions of this Article, in which case, the provisions of this Article control;
- (9) Has violated any provision of this Article or of the duly adopted rules and regulations of the Board; or
- (10) Repealed by Session Laws 1991 c. 239, s. 1.
- (10a) Has aided or abetted the unlawful practice of psychology by any person not licensed by the Board."

Sec. 15. G.S. 90-270.15(a1), as amended by Section 1 of Chapter 239 of the 1991 Session Laws, reads as rewritten:

"(a1) The Board may deny licensure, and discipline or require remediation and rehabilitation, or any combination thereof, as specified in subsections (a) above and (e) below, upon proof of immoral, dishonorable, unprofessional, or unethical conduct. Immoral, dishonorable, unprofessional, or unethical ~~conduct~~, conduct has occurred whenever any person who has applied for or has been issued a license under this Article has engaged in any of the following acts or offenses:

- (1) Practiced psychology in such a manner as to endanger the welfare of clients or patients;

- (2) Harassed or abused, sexually or otherwise, a client, patient, student, supervisee, or trainee;
- (3) Exercised undue influence in such a manner as to exploit the client, patient, student, supervisee, or trainee for the financial or other personal advantage or gratification of the psychologist or a third party;
- (4) Refused to appear before the Board after having been ordered to do so in writing by the Chair;
- (5) Failed to cooperate with or to respond promptly, completely, and honestly to the Board, to credentials committees, or to ethics committees of professional psychological associations, hospitals, or other health care organizations or educational institutions when those organizations or entities have jurisdiction; or failed to cooperate with institutional review boards or professional standards review organizations, when those organizations or entities have jurisdiction-jurisdiction;
- (6) Failed to maintain a clear and accurate case record which documents the following for each patient or client:
 - a. Presenting problems, diagnosis, or purpose of the evaluation, counseling, treatment, or other services provided;
 - b. Fees, dates of services, and itemized charges;
 - c. Summary content of each session of evaluation, counseling, treatment, or other services, except that summary content need not include specific information that may cause significant harm to any person if the information were released;
 - d. Test results or other findings, including basic test data; and
 - e. Copies of all reports prepared;
- (7) Failed to competently use, administer, score, or interpret psychological assessment techniques, including interviewing and observation, or provided findings or recommendations which do not accurately reflect the assessment data, or exceed what can reasonably be inferred, predicted, or determined from test, interview, or observational data;
- (8) Failed to provide competent diagnosis, counseling, treatment, consultation, or supervision, in keeping with standards of usual and customary practice in this State;
- (9) In the absence of established standards, failed to take all reasonable steps to ensure the competence of services;
- (10) Failed to cooperate with other psychologists or other professionals to the potential or actual detriment of clients, patients, or other recipients of service, or behaved in ways which substantially impede or impair other psychologists' or other professionals' abilities to perform professional duties; or
- (11) Practiced psychology or conducted research outside the boundaries of demonstrated competence or the limitations of education, training, or supervised experience."

Sec. 16. G.S. 90-270.15(g), as amended by Section 1 of Chapter 239 of the 1991 Session Laws, reads as rewritten:

"(g) When considering the issue of whether or not an applicant or licensee is physically or mentally capable of practicing psychology with reasonable skill and safety to patients or clients, then, upon a showing of probable cause to the Board that the applicant or licensee is not capable of practicing psychology with reasonable skill and safety to patients or clients, the Board may petition a court of competent jurisdiction to order the applicant or licensee in question to submit to a psychological examination by a psychologist to determine psychological status or a physical examination by a physician to determine physical condition, or both. Such psychologist or physician, shall be designated by the court. The expenses of such examinations shall be borne by the Board. Where the applicant or licensee raises the issue of mental or physical competence or appeals a decision regarding mental or physical competence, the applicant or licensee shall be permitted to obtain an evaluation at the ~~applicant~~ applicant's or licensee's expenses. If the Board suspects the objectivity or adequacy of the examination, the Board may compel an examination by its designated practitioners at its own expense."

Sec. 17. G.S. 95-138(a), as amended by Section 1 of Chapter 329 of the 1991 Session Laws, reads as rewritten:

"(a) Any employer who willfully or repeatedly violates the requirements of this Article, any standard, rule or order promulgated pursuant to this Article, or regulations prescribed pursuant to this Article, may upon the recommendation of the Director to the Commissioner be assessed by the Commissioner a civil penalty of not more than seventy thousand dollars (\$70,000) and not less than five thousand dollars (\$5,000) for each willful violation. Any employer who has received a citation for a serious violation of the requirements of this Article or any standard, rule, or order promulgated under this Article or of any regulation prescribed pursuant to this Article, shall be assessed by the Commissioner a civil penalty of up to seven thousand dollars (\$7,000) for each such violation. If the violation is adjudged not to be of a serious nature, then the employer may be assessed a civil penalty of up to seven thousand dollars (\$7,000) for each such violation. Any employer who fails to correct a violation for which a citation has been issued under this Article within the period allowed for its correction (which period shall not begin to run until the date of the final order of the Board in the case of any appeal proceedings in this Article initiated by the employer in good faith and not solely for the delay or avoidance of penalties), may be assessed a civil penalty of not more than seven thousand dollars (\$7,000). Such assessment shall be made to apply to each day during which such failure or violation continues. Any employer who violates any of the posting requirements, as prescribed under the provision of this Article, shall be assessed a civil penalty of not more than seven thousand dollars (\$7,000) for such violation. The Commissioner upon recommendation of the Director, or the Board in case of an appeal, shall have authority to assess all civil penalties provided by this Article, giving due consideration to the appropriateness of the penalty with respect to the size of the business of the employer being charged, the

gravity of the violation, the good faith of the employer and the record of previous violations.”

Sec. 18. G.S. 105-102.6(c), as enacted by Section 2 of Chapter 539 of the 1991 Session Laws, reads as rewritten:

“(c) Minimum Recycled Content Percentage. The recycled content percentage of every person engaged in the business of publishing or printing publications printed on newsprint consumed by a producer shall equal or exceed the following minimum recycled content ~~percent-~~
~~ages percentages:~~

During 1991 and 1992, twelve percent (12%).

During 1993, fifteen percent (15%).

During 1994, twenty percent (20%).

During 1995, twenty-five percent (25%).

During 1996, thirty percent (30%).

During 1997, thirty-five percent (35%).

After 1997, forty percent (40%).”

Sec. 19. G.S. 105-445, as amended by Sections 16, 18, and 20 of Chapter 538 of the 1991 Session Laws, reads as rewritten:

“§ 105-445. Application of proceeds of gasoline tax.

Of the revenue collected under this Article, seventy-five percent (75%) shall be credited to the Highway Fund and the remaining twenty-five percent (25%) shall be credited to the Highway Trust Fund. A proportionate share of a refund allowed under this Article shall be charged to the ~~the~~ Highway Fund and the Highway Trust Fund. The Secretary shall credit revenue or charge refunds to the appropriate Funds on a monthly basis.”

Sec. 20. G.S. 113A-226(a), as enacted by Section 1 of Chapter 132 of the 1991 Session Laws, reads as rewritten:

“(a) Any person who violates this Article or any rule adopted pursuant to this Article shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than fifty dollars (\$50.00) ~~or~~ nor more than one thousand dollars (\$1,000), or imprisoned for not less than 10 days nor more than 180 days, or both, for each offense.”

Sec. 21. G.S. 115D-71, as amended by Section 3 of Chapter 184 of the 1991 Session Laws, reads as rewritten:

“§ 115D-71. Persons eligible to attend the Center; subjects taught.

Persons eligible ~~for~~ to attend the Center shall be at least 16 years of age and legal residents of the State of North Carolina, as set forth in G.S. 116-143.1: Provided, that out-of-state students, not to exceed ten percent (10%) of the total enrollment, may be enrolled when vacancies exist, upon payment of tuition. The amount of tuition shall be determined by the board of trustees. The money thus collected shall be deposited in the State treasury. The Center shall (i) assist individual citizens of North Carolina in becoming contributing members of a well-qualified work force and (ii) assist in identification of problems confronting the textile industry and in solving these problems through education, training, and technology transfer in partnership with the North Carolina Community College System.”

Sec. 21.1. Article 6A.1 of Chapter 120 of the General Statutes is amended by adding a new section to read:

“§ 120-30.9I. Alternate submission authority.

Notwithstanding any other provision of this Article, in the event that the person or party responsible under G.S. 120-30.9E, 120-30.9F, or 120-30.9G for submitting any local act of the General Assembly shall delay, obstruct, or refuse to make a submittal to the Attorney General of the United States, the Attorney General of North Carolina may submit that local act. Any person or party responsible under this Article for making such a submission shall promptly provide any information and materials the Attorney General of North Carolina might request to facilitate making the submission and making any supplements to the submission."

Sec. 22. G.S. 130-295.02, as enacted by Chapter 450 of the 1991 Session Laws, is recodified as G.S. 130A-295.03.

Sec. 23. G.S. 131E-2, as enacted by Section 1 of Chapter 143 of the 1991 Session Laws, reads as rewritten:

"§ 131E-2. Contested case hearing petition time limit.

Except as otherwise provided in this Chapter, a petition for a contested case that is authorized by this Chapter shall be filed in the Office of Administrative Hearings within 30 days after the Department mails written notice of an agency decision to the person filing the petition. This section shall not be construed to create any right to file a petition for a contested case that is not otherwise granted in this Chapter."

Sec. 24. G.S. 131E-103(b), as amended by Section 2 of Chapter 143 of the 1991 Session Laws, reads as rewritten:

"(b) The provisions of Chapter 150B of the General Statutes, the Administrative Procedure Act, shall govern all administrative action and judicial review in cases where the Department has taken the action described in subsection (a). A petition for a contested case shall be filed within 20 days after the Department mails the licensee a notice of its decision to deny a renewal application, or to recall, suspend, or revoke an existing license."

Sec. 25. G.S. 131E-109(c), as amended by Section 3 of Chapter 143 of the 1991 Session Laws, reads as rewritten:

"(c) The Secretary or a designee may suspend the admission of any new patients or residents at any nursing home or domiciliary home where the conditions of the nursing home or domiciliary home are detrimental to the health or safety of the patient or resident. This suspension shall remain in effect until the Secretary is satisfied that conditions or circumstances merit the removal of the suspension. This subsection shall be in addition to authority to suspend or revoke the license of the home. Any facility wishing to contest a suspension of admissions shall be entitled to an administrative hearing as provided in the Administrative Procedure Act, Chapter 150B of the General Statutes. The petition for a contested case shall be filed in the Office of Administrative Hearings within 20 days after the Department mails a written notice of suspension of admissions to the facility."

Sec. 26. G.S. 131E-111(b), as amended by Section 1 of Chapter 185 of the 1991 Session Laws, reads as rewritten:

"(b) A nurse aide who wishes to contest a finding of resident neglect, resident abuse, or misappropriation of resident property made against the aide, is entitled to an administrative hearing as provided by the Administrative Procedure Act, Chapter 150B of the General Statutes. A petition for a contested case shall be filed within 30 days after the

nurse aide receives written notice by certified mail of the Department's intent to place findings against the aide in the nurse aide registry."

Sec. 27. (a) G.S. 143-215.108(c), as designated by Section 5 of Chapter 552 of the 1991 Session Laws, shall instead be G.S. 143-215.108(d) as designated by Section 1 of Chapter 629 of the 1991 Session Laws.

(b) G.S. 143-215.108(d), as enacted by Section 5 of Chapter 552 of the 1991 Session Laws, is recodified as G.S. 143-215.108(d1).

(c) G.S. 143-215.108(f), as designated by Section 5 of Chapter 552 of the 1991 Session Laws, shall instead be G.S. 143-215.108(g) as designated by Section 1 of Chapter 629.

Sec. 28. G.S. 143B-153(3), as amended by Section 1 of Chapter 462 of the 1991 Session Laws, reads as rewritten:

"(3) The Social Services Commission shall have the power and duty to establish and adopt standards:

- a. For the inspection and licensing of maternity homes as provided by G.S. 131D-1;
- b. For the inspection and licensing of domiciliary homes for aged or disabled persons as provided by G.S. 131D-2(b) and for personnel requirements of staff employed in domiciliary homes. Any proposed personnel requirements that would impose additional costs on owners of domiciliary homes shall be reviewed by the Joint Legislative Commission on Governmental Operations before they are ~~adopted~~adopted;
- c. For the inspection and licensing of child-care institutions as provided by G.S. 131D-10.5;
- d. For the inspection and operation of jails or local confinement facilities as provided by G.S. 153A-220 and Article 2 of Chapter 131D of the General Statutes of the State of North Carolina;
- e. Repealed by Session Laws 1981, c. 562, s. 7.
- f. For the regulation and licensing of charitable organizations, professional fund-raising counsel and professional solicitors as provided by Chapter 131D of the General Statutes of the State of North Carolina."

Sec. 29. G.S. 159-27.1, as enacted by Section 3 of Chapter 508 of the 1991 Session Laws, is recodified as G.S. 159-27.1.

Sec. 30. G.S. 160A-35(b), as enacted by Section 1 of Chapter 25 of the 1991 Session Laws, is recodified as G.S. 160A-35.1, with a catch line to read: "Limitation on change in financial participation prior to annexation." G.S. 160A-35(a) is redesignated as G.S. 160A-35.

Sec. 31. G.S. 160A-47(b), as enacted by Section 1 of Chapter 25 of the 1991 Session Laws, is recodified as G.S. 160A-47.1, with a catch line to read: "Limitation on change in financial participation prior to annexation." G.S. 160A-47(a) is redesignated as G.S. 160A-47.

Sec. 32. G.S. 163-140(b)(4)a. and b. as rewritten by Section 2 of Chapter 641, Session Laws of 1991, reads as rewritten:

- "a. To vote for all candidates of one party (a straight ticket), make a cross (X) mark in the circle of the party for whose candidates you wish to vote.
~~for whom you wish to vote.~~
- b. You may vote a split ticket by not marking a cross (X) mark in the party circle, but by making a cross (X) mark in the square opposite the name of each candidate for whom you wish to vote."

Sec. 32.1. G.S. 163-140(b)(5)a. and b. as rewritten by Section 3 of Chapter 641, Session Laws of 1991, reads as rewritten:

- "a. To vote for all candidates of one party (a straight ticket), make a cross (X) mark in the circle of the party for whose candidates you wish to vote.
~~for whom you wish to vote~~
- b. You may vote a split ticket by not marking a cross (X) mark in the party circle, but by making a cross (X) mark in the square opposite the name of each candidate for whom you wish to vote."

Sec. 33. (a) The description of District 8 in G.S. 163-201 as rewritten by Chapter 601, Session Laws of 1991, is amended by deleting "Radford # 5" and substituting "Raeford # 5".

(b) G.S. 163-201(c)(6), as enacted by Chapter 601, Session Laws of 1991, reads as rewritten:

~~"(6) Any listing in any district of Mecklenburg Precinct XMC2 Noncontiguous shall be disregarded, as that precinct does not exist in Mecklenburg County. Precinct XMC2 Noncontiguous is Tract 55.01, Block 303C, and is districted with Precinct MC1 notwithstanding any description above;"~~

Sec. 34. The first line of Section 1 of Chapter 59 of the 1991 Session Laws is amended by adding the phrase "Part C of Article 6 of" before the phrase "Chapter 131E".

Sec. 35. Section 2 of Chapter 142 of the 1991 Session Laws reads as rewritten:

"Sec. 2. This act becomes effective October 1, 1991, and applies to ~~require~~ required reevaluations for children who have not reached the second semester of the third grade by this date."

Sec. 36. Section 1 of Chapter 204 of the 1991 Session Laws is amended by inserting the word "and" at the end of subdivision (6).

Sec. 37. Effective on the effective date of Section 3 of Chapter 672, Session Laws of 1991, Subsection (a) of Section 222 of Chapter 689 of the 1991 Session Laws, The Appropriations and Budget Revenue Act of 1991 reads as rewritten:

"(a) Before any other transfers are made pursuant to ~~G.S. 20-81.3(e) or 20-81.3(g)~~, G.S. 20-79.7, the Secretary of Transportation shall allocate from the ~~'Personalized~~ 'Special Registration Plate Fund' \$150,000 for the 1991-92 fiscal year and \$150,000 for the 1992-93 fiscal year for personnel to staff Visitor and Welcome Centers as follows:

- (1) \$50,000 for the 1991-92 fiscal year and \$50,000 for the 1992-93 fiscal year to the Albemarle Regional Planning and Development Office in the Town of Hertford for the Visitor

and Welcome Center on U.S. Highway 17 in Camden County;

- (2) \$50,000 for the 1991-92 fiscal year and \$50,000 for the 1992-93 fiscal year to the Southeastern Welcome Center, Inc., for the Visitor and Welcome Center on U.S. Highway 17 South in Brunswick County;
- (3) \$25,000 for the 1991-92 fiscal year and \$25,000 for the 1992-93 fiscal year to Smoky Mountain Hosts of North Carolina, Inc., for the Visitor and Welcome Center on U.S. Highway 441 in Macon County; and
- (4) \$25,000 for the 1991-92 fiscal year and \$25,000 for the 1992-93 fiscal year to the North Carolina High Country Host, Inc., for personnel to staff the Visitor and Welcome Center in the Town of Boone, Watauga County."

Sec. 37.1. In order to account for revenues raised by Chapter 623, Session Laws of 1991, there is appropriated from the nonreverting account for Water Pollution Control Operators Certification established in G.S. 90A-42 to the Department of Environment, Health, and Natural Resources the sum of \$400,000 for the 1991-92 fiscal year and the sum of \$400,000 for the 1992-93 fiscal year for administering the Water Pollution Control System Operators Certification Program; provided, however, if the revenues raised from Chapter 623 of the 1991 Session Laws are less than \$400,000 for the 1991-92 fiscal year or are less than \$400,000 for the 1992-93 fiscal year, then the appropriation is reduced accordingly.

Sec. 37.2. As the same law was enacted by Section 2 of Chapter 656, Session Laws of 1991, Section 179 of Chapter 689 of the 1991 Session Laws, The Appropriations and Budget Revenue Act of 1991 is repealed.

Sec. 37.3. Article 1 of Chapter 130A of the General Statutes is amended by adding a new section to read:

"§ 130A-14. Department may assist private nonprofit foundations.

(a) The Secretary may allow employees of the Department to assist any private nonprofit foundation that works directly with services or programs of the Department and whose sole purpose is to support the services and programs of the Department, and may provide other appropriate services to any such foundation. No employee of the Department may work with a foundation for more than 20 hours in any one month. Chapter 150B of the General Statutes does not apply to any assistance of services provided to a private nonprofit foundation pursuant to this section.

(b) The board of directors of any private nonprofit foundation that receives assistance or services pursuant to this section shall secure and pay for the services of the Department of State Auditor or shall employ a certified public accountant to conduct an annual audit of the financial accounts of the foundation. The board of directors of the foundation shall transmit a copy of the annual financial audit report to the Secretary."

Sec. 37.4. To conform to the repeal of G.S. 20-50.2 by Chapter 624, Session Laws of 1991, effective January 1, 1993, G.S. 105-314 is repealed.

Sec. 37.5. G.S. 36A-53(b) as amended by Chapter 747, Session Laws of 1991, is amended by deleting "1954" and substituting "1986."

Sec. 38. Section 2 of Chapter 317 of the 1991 Session Laws is amended by deleting the phrase "is rewritten to read:" and substituting the phrase "reads as rewritten:".

Sec. 39. Section 3 of Chapter 317 of the 1991 Session Laws is amended by deleting the phrase "is rewritten to read:" and substituting the phrase "reads as rewritten:".

Sec. 40. Section 3 of Chapter 403 of the 1991 Session Laws is amended by deleting "(g)" and substituting "(g)".

Sec. 41. Subdivision (2) of Section 5 of Chapter 404 of the 1991 Session Laws reads as rewritten:

"(2) The selection and assignment of personnel filling certified positions shall be made by a ~~simply simple~~ majority vote of the Interim and Merged Boards. Any involuntary reassignment across previous administrative unit boundaries of persons filling certified positions by the Permanent Board shall be made only by a two-thirds affirmative vote during the first five years following the effective date of merger."

Sec. 42. Section 2 of Chapter 419 of the 1991 Session Laws is amended by deleting the underlining beneath the word "insurance".

Sec. 43. Section 2(2) of Chapter 434 of the 1969 Session Laws, as amended by Chapter 498 of the 1983 Session Laws, as amended by Chapter 497 of the 1991 Session Laws, is further amended by inserting the word "the" between the words "maintain in" and "Local".

Sec. 44. The first sentence of Section 2 of Chapter 503 of the 1991 Session Laws is amended by inserting the word "following" between the words "the" and "provisions".

Sec. 45. Section 6 of Chapter 506 of the 1991 Session Laws is amended by deleting the phrase "reads as written:" and substituting the phrase "reads as rewritten:".

Sec. 46. Section 4.2 of the Charter of the City of Foscoe, as enacted by Section 1 of Chapter 553 of the 1991 Session Laws, is amended by deleting the word "or" and substituting the word "on" between the words "par" and "face".

Sec. 47.1. Effective July 1, 1991, Section 201.1(a) of Chapter 689 of the 1991 Session Laws reads as rewritten:

"(a) The State Board of Education shall allocate funds appropriated for small school system supplemental funding (i) to each county school administrative unit with an average daily membership of less than 3,000 students and (ii) to each county school administrative unit with an average daily membership of from 3,000 to 4,000 students if the county in which the local school administrative unit is located has a county adjusted property tax base per student that is below the State adjusted property tax base per ~~student~~. student and if the total average daily membership of all local school administrative units located within the county is from 3,000 to 4,000 students. The allocation formula shall:

- (1) Round all fractions of positions to the next whole position;
- (2) Provide four additional regular classroom teachers;
- (3) Provide additional program enhancement teachers adequate to offer the standard course of study;

- (4) Change the duty-free period allocation to one teacher assistant per 400 average daily membership;
- (5) Provide a base for the consolidated funds allotment of at least \$150,000, excluding textbooks; and
- (6) Allot vocational education funds for grade 6 as well as for grades 7-12.

If funds appropriated for each fiscal year for small school system supplemental funding are not adequate to fund fully the program, the State Board of Education shall reduce the amount allocated to each county school administrative unit on a pro rata basis. This formula is solely a basis for distribution of supplemental funding for certain county school administrative units and is not intended to reflect any measure of the adequacy of the educational program or funding for public schools. The formula is also not intended to reflect any commitment by the General Assembly to appropriate any additional supplemental funds for such county administrative units."

Sec. 47.2. Effective July 1, 1991, Section 201.1(c)(1) of Chapter 689 of the 1991 Session Laws reads as rewritten:

"(1) 'Average daily membership' means ~~the final average daily membership in the most recent year for which county current expense appropriations and adjusted property tax valuations are available.~~ average daily membership as defined in the North Carolina Public Schools Allotment Policy Manual, adopted by the State Board of Education."

Sec. 47.3. Effective July 1, 1991, Section 201.2(d)(1) of Chapter 689 of the 1991 Session Laws reads as rewritten:

"(1) 'Average daily membership' means ~~the final average daily membership in the most recent year for which county current expense appropriations and adjusted property tax valuations are available.~~ average daily membership as defined in the North Carolina Public Schools Allotment Policy Manual, adopted by the State Board of Education."

Sec. 48. The Charter of the City of Durham, being Chapter 671 of the 1975 Session Laws, as amended by Chapter 694 of the 1981 Session Laws, as amended by Chapter 617 of the 1991 Session Laws, is amended by deleting the word "the" before the phrase "Chapter 143" in the second sentence of Section 17(3).

Sec. 49. Section 2 of Chapter 636 of the 1991 Session Laws is amended by deleting the phrases "subdivision (4)" and "subdivision (5)" and substituting "Section 4" and "Section 5" respectively.

Sec. 50. Transfer Legal Position and Legal Support Staff Position to Department of Insurance.

The following positions are transferred to the Department of Insurance from the Department of Justice; one agency legal specialist position (#0126) and one paralegal II position (#0133). The equipment, supplies, records, and other property to support these positions are also transferred to the Department of Insurance from the Department of Justice.

Sec. 50.1. The Department of Revenue shall include in its report to the Information Technology Commission required under Section 190.2(9) of Chapter 689 of the 1991 Session Laws, The Appropriations and Budget Revenue Act of 1991, any mechanical, electrical,

telecommunications, partition, and interior and furnishings revisions to the new revenue building prior to its completion that the Department recommends as necessary for the collection of State revenues at optimum levels.

The Commission shall make a recommendation to the Office of State Budget and Management on whether funds should be expended to support the revisions recommended by the Department. The Commission's recommendation shall be based on a finding of whether the revisions are necessary to enable the Department to carry out its statutory duty to collect State revenues in the most efficient and effective manner possible.

Upon receipt of a recommendation from the Commission that funds are necessary to support the revisions, the Office of State Budget and Management may transfer not more than \$1,600,000 for the 1991-92 fiscal year to carry out the revisions. In making the transfer, the Office of State Budget and Management may use only those funds from the Reserve for Repairs and Renovations in the Office of State Budget and Management. Before any funds may be expended for this purpose, the Office of State Budget and Management shall report to the Joint Legislative Commission on Governmental Operations on the proposed revisions and expenditures.

Sec. 50.2. Effective July 1, 1991, subsection (f) of Section 91 of Chapter 689 of the 1991 Session Laws, The Appropriations and Budget Revenue Act of 1991, is amended by rewriting the position to be transferred from the Office of the Secretary of Human Resources as Position Number "0712", Position Title "Agency Legal Specialist III", Salary Grade "77", and by redesignating the position number for the position being transferred from the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services to "0225".

Sec. 50.3. (a) As used in this section, the terms "commercial", "hazardous waste facility", and "unit of local government" have the same meaning as in G.S. 130A-290.

(b) The Governor's Waste Management Board shall examine the burdens placed on units of local government that result from the proposed siting of a commercial hazardous waste management facility. The Board shall determine the nature and extent of such burdens on units of local government that volunteer to host a facility and on units of local government that oppose the siting of a facility. The Board shall assess the resources available to units of local governments to address such burdens and the off-setting benefits associated with a siting proposal. The Board shall determine what additional resources are needed by units of local government that either favor or oppose the siting of a commercial hazardous waste facility and shall develop recommendations as to what financial assistance and other resources the State should make available to such units of local government. In making its study, the Board shall consider the experience of units of local government in which hazardous waste facilities have been proposed to be sited in the past, and shall consider the needs of units of local government of representative sizes and locations within the State. The Board shall report its findings and recommendations to the Environmental Review Commission and the Joint Legislative Commission on Governmental Operations on or before 1 March 1992.

Sec. 50.4. Effective July 1, 1991, Section 238.2(b) of Chapter 689 of the 1991 Session Laws, The Appropriations and Budget Revenue Act of 1991, is amended by inserting immediately after the phrase "subsection (a)" the three places it occurs the phrase ", subdivisions (1) through (8)".

Sec. 50.5. Section 2 of Chapter 176 of the 1991 Session Laws reads as rewritten:

"Sec. 2. This act becomes effective ~~August 1, 1991~~. January 1, 1992."

Sec. 50.6. (a) Pursuant to the provisions of G.S. 14-250, for the 1991-93 fiscal biennium, the General Assembly authorizes the use of private license tags on State-owned motor vehicles only for the State Highway Patrol and for the following:

<u>Department</u>	<u>Exemption Category</u>	<u>Number</u>
Motor Vehicles	License and Theft	97
Justice	SBI Agents	277
Correction	Probation/Parole Surveillance Officers (intensive probation)	25
Crime Control and Public Safety	ALE Officers	92

(b) The 92 ALE vehicles authorized by this section to use private license tags shall be distributed as follows:

- (1) 54 among Agent I officers;
- (2) 20 among Agent II officers;
- (3) 1 to the Deputy Director;
- (4) 12 to the District Offices/Extra Vehicles; and
- (5) 5 to the Director, to be distributed at his discretion.

(c) Except as provided in this section, all State-owned motor vehicles shall bear permanent registration plates issued under G.S. 20-84.

(d) This section is effective July 1, 1991.

Sec. 50.7 Section 240 of Chapter 689 of the 1991 Session Laws, The Appropriations and Budget Revenue Act of 1991, is amended by deleting the number "\$10,246,368" and substituting "\$10,764, 288".

Sec. 51. Sec. 189.1(c) of Chapter 689 of the 1991 Session Laws, The Appropriations and Budget Revenue Act of 1991, is repealed.

Sec. 51.1. (a) Notwithstanding the provisions of Sections 3 and 28 of Chapter 689 of the 1991 Session Laws, the Office of State Budget and Management shall transfer six million six hundred thousand dollars (\$6,600,000), from the funds appropriated to the Reserve for Reimbursements to Local Governments and Shared Tax Revenues for the 1991-92 fiscal year, to the Clean Water Revolving Loan and Grant Fund created in G.S. 159G-5.

(b) Notwithstanding the provisions of G.S. 105-116, the Secretary of Revenue shall reduce the amount to be transferred to municipalities on or before December 15, 1991, pursuant to G.S. 105-116(d), by an amount equal to five million dollars (\$5,000,000). The Secretary of Revenue shall allocate this reduction on a pro rata basis among the municipalities entitled to receive a quarterly installment pursuant to G.S. 105-116(d) on or before December 15, 1991.

(c) Notwithstanding the provisions of G.S. 105-113.82, the Secretary of Revenue shall reduce the amount to be distributed to counties

and cities for the 1991-92 fiscal year pursuant to G.S. 105-113.82 by an amount equal to one million six hundred thousand dollars (\$1,600,000). The Secretary of Revenue shall allocate this reduction on a pro rata basis among the counties and cities entitled to receive a distribution pursuant to G.S. 105-113.82 for the 1991-92 fiscal year.

(d) The General Assembly finds that the purpose of the allocation provided in this section is to meet the funding needs of local governments for water supply and wastewater treatment facilities, as requested by local governmental units. It is the intent of the General Assembly that the funds appropriated to the Reserve for Reimbursements to Local Governments and Shared Tax Revenues shall not be further reduced during the 1991-92 fiscal year except as provided in this section.

Sec. 51.2. Section 4.2 of Chapter 754, Session Laws of 1991, The Studies Act of 1991, reads as rewritten:

~~"Sec. 4.2. The Study Commission is authorized to study all aspects of the State Personnel System including, but not limited to, the impact of State and local governmental employees' retirement benefits increases, the impact of the exemption from State taxes of State, local, federal, and private retirement benefits, and public employees' day care and medical and dental benefits. The Study Commission may study all aspects of the State Personnel System, including the following:~~

- ~~(1) The impact of State and local governmental employees' retirement benefits increases;~~
- ~~(2) The impact of the exemption from State taxes of State, local, federal, and private retirement benefits;~~
- ~~(3) Public employees' day care and medical and dental benefits; and~~
- ~~(4) Decentralization and related needs of the Office of State Personnel, with a particular focus on the Equal Employment Opportunity function, monitoring of State departments, and training of supervisors and administrators relative to their responsibilities under decentralization."~~

Sec. 52. This act is effective upon ratification.

CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR S.B. 16

PCCS 8699, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-201 reads as rewritten:

"§ 163-201. Congressional districts specified.

(a) For the purpose of nominating and electing members of the House of Representatives of the Congress of the United States in ~~1982~~ 1992 and every two years thereafter, the State of North Carolina shall be divided into ~~44~~ 12 districts as follows:

~~FIRST DISTRICT: Beaufort, Bertie, Camden, Carteret, Chowan, Craven, Currituck, Dare, Gates, Greene, Hertford, Hyde, Lenoir, Martin, Northhampton, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell, and Washington Counties.~~

~~SECOND DISTRICT: Caswell, Durham, Edgecombe, Granville, Halifax, Nash, Person, Vance, Warren, and Wilson Counties; and the O'Neals Township in Johnston County.~~

~~THIRD DISTRICT: Bladen, Duplin, Harnett, Jones, Lee, Onslow, Pender, Sampson, and Wayne Counties; the following townships of Johnston County: Banner, Bentonsville, Beulah, Boon Hill, Clayton, Cleveland, Elevation, Ingrams, Meadow, Micro, Pine Level, Pleasant Grove, Selma, Smithfield, Wilders, and Wilson Mills; and the following townships of Moore County: 1 (Carthage), 4 (Ritters), 5 (Deep River), 6 (Greenwood), and 10 (Little River).~~

~~FOURTH DISTRICT: Chatham, Franklin, Orange, Randolph, and Wake Counties.~~

~~FIFTH DISTRICT: Alexander, Alleghany, Ashe, Forsyth, Rockingham, Stokes, Surry, and Wilkes Counties.~~

~~SIXTH DISTRICT: Alamance, Davidson, and Guilford Counties.~~

~~SEVENTH DISTRICT: Brunswick, Columbus, Cumberland, New Hanover, and Robeson Counties.~~

~~EIGHTH DISTRICT: Anson, Cabarrus, Davie, Hoke, Montgomery, Richmond, Rowan, Scotland, Stanly, and Union Counties; and the following townships of Moore County: 2 (Bensalem), 3 (Sheffields), 7 (McNeills), 8 (Sand Hill), and 9 (Mineral Springs); and the following townships of Yadkin County: Boonville, East Bend, Fall Creek, Forbush, Knobs, and Liberty.~~

~~NINTH DISTRICT: Iredell, Lincoln, and Mecklenburg Counties; and the following townships of Yadkin County: Buck Shoal and Deep Creek.~~

~~TENTH DISTRICT: Burke, Caldwell, Catawba, Cleveland, Gaston, and Watauga Counties; and the following townships of Avery County: Banner Elk, Beech Mountain, Cranberry, Linville, and Wilsons Creek.~~

~~ELEVENTH DISTRICT: Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania, and Yancey Counties; and the following townships of Avery County: Altamont, Roaring Creek, and Toe River.~~

District 1: Beaufort County: Washington township: Remainder not in District 3; Bertie County, Chowan County, Craven County: Cove City *, Dover *, Fort Barnwell *, Harlowe *, Havelock *: Tract 9612: Block Group 1: Block 106, Water Block 199F; Croatan *: Tract 9611: Block Group 1: Water Block 199C; Grantham *: Tract 9610, Block Group 2: Water Block 299; Block Group 3: Water Block 399; Block Group 4: Water Block 499A, Water Block 499B; Tract 9611: Block Group 1: Water Block 199D; First Ward *, Second Ward *, Fourth Ward *, Fifth Ward *, Clarks *, Woodrow *, Jasper *: Durham County: Bragtown School *, Burton School *, C.C. Spaulding School *, Durham Co. Main Library *, Durham High School *, Holloway Street School *, Holton Junior High School *, Lakewood School *, Moose Lodge *, Morehead School *, North Durham School Building *, Pearson School *, Pearisontown School *, R.N. Harris *, Shephard Junior H.S. *, Watts Street School *, Weaver Street Community Center *, White Rock Baptist Church *, Y.E. Smith School *, Campus Precinct *, Homestead Heights Baptist *, DNOE VALLEY SCHOOL NON-

CONTIGUOUS *, Gorman Ruritan Club *; Edgecombe County: Precinct 1-1 *, Precinct 2-1 *, Precinct 3-1 *, Precinct 4-1 *, Precinct 5-1 *, Precinct 6-1 *, Precinct 7-1 *, Precinct 10-1 *, Precinct 12-1 *, Precinct 12-2 *, Precinct 12-4 *, Precinct 12-5 *; Franklin County: Franklinton, Hayesville, Sandy Creek; Gates County, Granville County: Butner *, Antioch *, Oak Hill *, Credle *, East Oxford *, South Oxford *, West Oxford Elementary *, Sassafras Fork *, Tally Ho *, Walnut Grove *; Greene County: Snow Hill Town Satellite, Ormonds, Sugg; Halifax County: Hollister *, Conoconnara *, Enfield #1 *, Enfield #2 *, Enfield #3 *, Halifax *, Littleton #1 *, Hobgood *, Palmyra *, Roseneath *, Scotland Neck #1 *, Scotland Neck #2 *, Weldon #1 *, Weldon #2 *, Weldon #3 *; Hertford County, Jones County: Beaver Creek *, Cypress Creek *; Remainder not in District 2: Pollocksville *, Trenton *, White Oak *; Lenoir County: Contentnea *, Kinston #1 *, Kinston #2 *, Kinston #6 *, Kinston #7 *, Kinston #8 *, Sandhill *; Martin County, Nash County: Castalia *, Griffins *, Mannings #1 *, No. Whitakers #1 *, Rocky Mount #3 *, Rocky Mount #4 *, Battleboro *; Northampton County, Pasquotank County, Perquimans County, Pitt County: Arthur *, Ayden West *, Ayden East *, Belvoir *, Bethel *, Carolina *, Falkland *, Farmville West *, Farmville East *, Fountain *, Grimesland *, Pactolus *, Greenville #1 *, Greenville #2, Greenville #3 *, Greenville #4 *, Greenville #5 *, Greenville #2 Noncontiguous; Tyrrell County, Vance County: Hilltop, Middleburg, Townsville, Williamsboro, East Henderson I, North Henderson I, North Henderson II, South Henderson I; Warren County, Washington County, Wilson County: Gardners *, Saratoga *, Toisnot *, Wilson A *, Wilson B *, Wilson C *, Wilson F *, Wilson G *, Wilson H *, Wilson N *, Wilson O *.

District 2: Durham County: Neal Junior H.S. *, Brogden Junior H.S. *, Club Blvd. School *, Edison Johnson Community Center *, E.K. Powe School *, Fire Station #6 *, Forest Hills Club House *, Hillandale School *, Holy Infant Catholic Church *, Hope Valley School *, Multi-Purpose Building/Duke *, NC School of Science & Math *, Rogers-Herr Junior H.S. *, St. Stephens/Parish Hall *, Cole Mill Church of Christ *, Carrington Junior H.S. *, Eno Valley School *, Northern H.S. *, Mangum School *, Rougemont United Methodist *, Bethesda Ruritan Club *, Oak Grove School *, Durham Academy Gym *, Five Oaks Seventh Day Adventist Church *, Jordan H.S. *, Nelson Community Center *, Parkwood School *; Edgecombe County: Precinct 1-2 *, Precinct 1-3 *, Precinct 1-4 *, Precinct 8-1 *, Precinct 9-1 *, Precinct 11-1 *, Precinct 12-3 *, Precinct 13-1 *, Precinct 14-1 *; Franklin County: Dunn, Harris, Youngsville, Gold Mine, Cedar Rock, Cypress Creek, Louisburg Country, Pilot, Louisburg City, Pearces; Granville County: Brassfield *, Creedmoor *, Corinth *, Salem *; Greene County: Arba, Bull Head, Carrs, Fort Run, Shine, Hookerton, Jason, Olds, Snow Hill Rural, Snow Hill Town, Snow Hill Town Sat B, Speights Bridge; Halifax County: Ringwood *, Butterwood *, Faucett *, Littleton #2 *, Roanoke Rapids #1 *, Roanoke Rapids #2 *, Roanoke Rapids #3 *, Roanoke Rapids #4 *, Roanoke Rapids #5 *, Roanoke Rapids #6 *, Roanoke Rapids #7 *, Roanoke Rapids #8 *, Roanoke Rapids #9 *, Roanoke Rapids #10 *, Roanoke Rapids #11 *; Harnett County, Hoke County: Fort Bragg; Johnston County: North Banner *,

South Banner *, West Banner *, Bentonville *, North Beulah *, South Beulah *, North Boon Hill *, South Boon Hill *, South Elevation *, East Ingrams *, West Ingrams *, North Meadow *, South Meadow *, Micro *, Pine Level *, East Selma *, West Selma *, East Smithfield *, North Smithfield *, West Smithfield *, Wilson's Mills *; Jones County: Chinquapin *, Cypress Creek *; Tract 9802: Block Group 1: Block 125B; Block Group 2: Block 208B, Block 221B; Tract 9803: Block Group 3: Block 310A, Block 311A, Block 315, Block 316, Block 317, Block 318, Block 319, Block 320, Block 321A, Block 322, Block 323, Block 325, Block 327, Block 328, Block 329, Block 330, Block 331; Block Group 4: Block 447A, Block 448A, Block 449A, Block 451A, Block 452, Block 453, Block 454, Block 455, Block 456, Block 457, Block 458, Block 459, Block 460, Block 461, Block 463, Block 464, Block 465, Block 466, Block 467, Block 468A, Block 469A, Block 472A, Block 473A; Tuckahoe *; Lee County, Lenoir County: Falling Creek *, Institute *, Kinston #3 *, Kinston #4 *, Kinston #5 *, Kinston #9 *, Moseley Hall *, Neuse *, Pink Hill #1 *, Pink Hill #2 *, South-west *, Trent #1 *, Trent #2 *, Vance *, Woodlington *; Moore County: Township 1, Carthage, Township 2, Bensalem, Township 3, Sheffields, Township 4, Ritters, Township 5, Deep River, Township 6, Greenwood, Township 8, Sand Hill, Township 10, Little River; Nash County: Bailey *, Coopers *, Drywells *, Ferrells *, Jacksons *, Mannings #2 *, Nashville *, No. Whitakers #2 *, Oak Level, Oak Level Noncontiguous, Red Oak *, Rocky Mount #1 *, Rocky Mount #2 *, Rocky Mount #5 *, Rocky Mount #6 *, Rocky Mount #7 *, Stony Creek #1, Stony Creek Noncontiguous A, Stony Creek Noncontiguous B; Vance County: Dabney, Kittrell, Sandy Creek, Watkins, East Henderson II, South Henderson II, West Henderson I, West Henderson IIA, West Henderson IIB; Wake County: New Light #1 *; Wilson County: Black Creek *, Cross Roads *, Old Fields *, Spring Hill *, Stantonsburg *, Taylors *, Wilson D *, Wilson E *, Wilson I *, Wilson J *, Wilson K *, Wilson L *, Wilson M *, Wilson P *.

District 3: Beaufort County: Bath township, Chocowinity township, Long Acre township, Pantego township, Richland township, Washington township: Tract 9902: Block Group 1: Block 185B, Block 190, Block 191; Tract 9904: Block Group 3: Block 317D, Block 362, Block 363, Block 365, Block 366B; Block Group 4: Block 401, Block 426; Tract 9905: Block Group 5: Block 522A, Block 528A; Bladen County: Camden County, Carteret County: Craven County: Ernul *, Epworth *, Vanceboro *, Bridgeton *, Truitt *, Croatian *; Remainder not in District 1; Havelock *; Remainder not in District 1; Grantham *; Remainder not in District 1; Third Ward *, Sixth Ward *, Country Club *, Rhems *, River Bend *, Trent Woods *; Currituck County: Dare County: Duplin County, Hyde County; Onslow County: West Northwoods *, Jacksonville, New River *, Brynn Marr *, Catherine Lake *, Haw Branch *, Gum Branch *, Richlands *, Harris Creek *; Remainder not in District 7; Swansboro *, Mills *, Mortons *, Northeast *, Camp Lejeune Military Base 11, VTD ZZZZ: Tract 0001: Block Group 1: Block 104A, Block 125A, Block 126, Block 127, Block 128, Block 129A, Block 130, Block 131, Block 132, Block 134A, Block 135A, Block 137A, Block 138, Block 139A, Block 140, Block 141, Block 142, Block 143, Block 144A, Block 144B, Block 144C, Block

145, Block 146, Block 147, Block 148, Block 149, Block 150, Block 151, Block 152, Block 153, Block 154, Block 155, Block 156, Block 157, Block 158, Block 159, Block 160, Block 161, Block 162, Block 163, Block 164, Block 165, Block 166, Block 167, Block 168, Block 169A, Block 170, Block 171A, Block 172, Block 173, Block 174, Block 175, Block 176, Block 177A, Block 177B, Block 178, Block 179, Block 185, Block 186, Block 196A, Block 196B, Block 197A, Block 197B; Tract 0002: Block Group 6: Block 627A, Block 628, Block 629A, Block 629B, Block 630A, Block 631, Block 632, Block 633, Block 634A, Block 635A, Block 648A, Block 649A; Tract 0012: Block Group 1: Block 101A, Block 102A, Block 103, Block 104, Block 105, Block 106, Block 107A, Block 108A, Block 109A; Tract 0013: Block Group 1: Block 107; Pamlico County: Pender County: North Burgaw *, South Burgaw *, Canetuck *, Caswell *, Columbia *, Grady *, Middle Holly *, Upper Holly *, Long Creek *, Penderlea *, Lower Union *, Upper Union *, Rocky Point *; Pitt County: Chicod *, Grifton *, Simpson *, Swift Creek *, Winterville West *, Winterville East *, Greenville #6 *, Greenville #7 *, Greenville #8 *, Greenville #9 *, Greenville #10 *, Greenville #11 *, Greenville #12 *, Greenville #13 *; Sampson County, Wayne County.

District 4: Chatham County: Bynum *, East Mann's Chapel *, Cape Fear *, East Pittsboro *, West Pittsboro *, Hadley *, Hickory Mountain *, New Hope *, East Williams *, West Williams *; Johnston County: East Clayton *, West Clayton *, Cleveland *, North Elevation *, North O'Neals *, South O'Neals *, Pleasant Grove *, Wilders *; Orange County: Orange Grove *, White Cross *, Battle Park *, Coker Hills *, Coles Store *, Colonial Heights *, Country Club *, Dogwood Acres *, East Franklin *, Eastside *, Estes Hills *, Foxcroft *, Glenwood *, Greenwood *, Kings Mill *, Lincoln *, Lions Club *, Mason Farm *, North Carrboro *, Norside *, Owasa *, Patterson *, Ridgefield *, St. John *, Town Hall *, Weaver Dairy *, Westwood *, Efland *; Remainder not in District 6: Eno *, St. Marys *, Cameron Park *, Grady Brown *, Hillsborough *, West Hillsborough *; Wake County: Remainder not in District 2.

District 5: Alleghany County: Ashe County: Davidson County: Central *, Cotton *, Southmont *, Hampton *, Lexington No. 1 *; Tract 0614: Block Group 4: Block 403, Block 410B, Block 411D, Block 412B; Lexington No. 2 *, Ward No. 1 *, Ward No. 2 *, Ward No. 3 *, Ward No. 4 *, Ward No. 5 *, Ward No. 6 *, Reedy Creek *; Forsyth County: Abbotts Creek #1 *, Abbotts Creek #2 *, Abbotts Creek #3 *, Belews Creek *, Bethania #1 *, Bethania #2 *, Bethania #3 *, Broadbay #1 *, Broadbay #2 *, Clemmons #1 *, Kernersville #1 *, Kernersville #2 *, Kernersville #3 *, Kernersville #4 *, Lewisville #1 *, Lewisville #2 *, Middlefork #2 *, Middlefork #3 *, Old Richmond *, Old Town #2 *, Old Town #3 *, Salem Chapel #1 *, Salem Chapel #2 *, South Fork #2 *, South Fork #3 *, Vienna #1 *, Vienna #2 *, Vienna #3 *, Ardmore Baptist Church *, Ashley Middle School *, Bethabara Moravian Church *, Bible Wesleyan Church *, Bishop McGuinness *, Bolton Swimming Center *, Brown/Douglas Recreation *, Brunson Elementary School *, Calvary Baptist Church *, Carver High School *, Christ Moravian Church *, Country Club Fire St. *, Covenant

Presbyterian Church *, East Winston Library *, Easton Elementary School *, First Christian Church *, Forest Hill Fire Station *, Forest Pk. Elementary School *, Forsyth Tech W. Camp. *, 14th Street Recreation Center *, Greek Orthodox Church *, Hanes Community Center *, Happy Hill Recreation Center *, Hill Middle School *, Jefferson Elementary School *, Kennedy Middle School *, Latham Elementary School *, Lowrance Middle School *, M. L. King Recreation Center *, Memorial Coliseum *, Messiah Moravian Church *, Miller Park Recreation Center *, Mineral Springs F. St. *, Mt. Sinai Church *, Mt. Tabor High School *, New Hope United Methodist Church *, Old Town Presbyterian Church *, Parkland High School *, Parkway United Church *, Philo Middle School *, Polo Park Recreation Center *, Reynolds High School Gym *, Sherwood Forest Elementary School *, South Fork Elem School *, St. Andrews United Methodist *, St. Anne's Episcopal Church *, Summit School *, Trinity Moravian Church *, Trinity United Methodist Church *, Whitaker Elementary School *, Winston Lake Family YMCA *; Rockingham County, Rowan County: East Spencer *, Spencer *, Trading Ford, East Ward I *, East Ward II *, North Ward I *, South Ward *, West Ward I *, West Ward II *, West Ward III *; Stokes County: Big Creek township, Danbury township: Remainder not in District 6; Peters Creek township, Quaker Gap township, Yadkin township; Surry County, Watauga County.

District 6: Alamance County, Caswell County, Chatham County: Albright *, West Mann's Chapel *, Bennett *, Bonlee *, Harpers Crossroads *, Goldston *, Haw River *, North Siler City *, South Siler City *, Oakland *; Guilford County, Orange County: Carr *, Cedar Grove *, Tolars *, Cheeks *, Efland *: Tract 0108: Block Group 4: Block 463B, Block 466B, Block 488; Caldwell *: Person County, Stokes County: Beaver Island township, Danbury township: Tract 0702: Block Group 3: Block 344, Block 345, Block 354; Meadows township, Sauratown township, Snow Creek township.

District 7: Brunswick County; Columbus County; Cumberland County: Beaver Dam *, Westarea *, Cedar Creek *, Judson *, Stedman *, Cross Creek #1 *, Cross Creek #3 *, Cross Creek #4 *, Cross Creek #5 *, Cross Creek #6 *, Cross Creek #7 *, Cross Creek #8 *, Cross Creek #9 *, Cross Creek #10 *, Cross Creek #11 *, Cross Creek #12 *, Cross Creek #13 *, Cross Creek #14 *, Cross Creek #15 *, Cross Creek #16 *, Cross Creek #17 *, Cross Creek #18 *, Cross Creek #19 *, Cross Creek #20 *, Cross Creek #21, Cross Creek #22 *, Cross Creek #23 *, Cross Creek #2 *, Eastover *, Vander *, Alderman *, Sherwood *, Pearces Mill #2 *, Pearces Mill #4 *: Remainder not in District 8; Hope Mills #1 *, Seventy First #3 *; New Hanover County, Onslow County: Cross Roads *, East Northwoods *, Half Moon *, Tar Landing *, Harris Creek *: Tract 0003: Block Group 5: Block 508, Block 509A, Block 509B, Block 510A, Block 511A, Block 521, Block 523, Block 525; Folkstone *, Haws Run *, Holly Ridge *, Sneads Ferry *, Verona *, Bear Creek *, Hubert *, Camp Lejeune Military Base 1, Camp Lejeune Military Base 2, Camp Lejeune Military Base 3, Camp Lejeune Military Base 4, Camp Lejeune Military Base 5, Camp Lejeune Military Base 6, Camp Lejeune Military Base 7, Camp Lejeune Military Base 8, Camp Lejeune Military Base 9, Camp Lejeune Military

Base 10, Camp Lejeune Military Base 12, Camp Lejeune Military Base 13, Camp Lejeune Military Base 14; Pender County: Lower Topsail *, Upper Topsail *, Scott's Hill *, Surf City *; Robeson County.

District 8: Anson County, Cabarrus County: Township 1, Box 1 *, Township 1, Box 2 *, Township 1, Box 3 *, Township 2, Box 1 *, Township 2, Box 2 *, Township 2, Box 3 *, Township 2, Box 4 *, Township 3 *, Township 4, Box 1, Township 4, Box 2 *, Township 4, Box 4 *, Township 4, Box 5 *, Township 4, Box 6 *, Township 4, Box 7 *, Township 4, Box 8 *, Township 4, Box 1 Noncontiguous A, Township 4, Box 1 Noncontiguous B, Township 4, Box 1 Noncontiguous C, Township 5 *, Township 6 *: Remainder not in District 12; Township 8 *, Township 9 *, Township 10 *, Township 11 *, Township 12, Box 1 *, Township 12, Box 2 *, Township 12, Box 3 *, Township 12, Box 4 *, Township 12, Box 5 *, Township 12, Box 6 *, Township 12, Box 7 *, Township 12, Box 8 *, Township 12, Box 9 *; Cumberland County: Black River *, Linden *, Long Hill *, Cross Creek #24 *, Wade *, Manchester *, Spring Lake *, Pearces Mill #3 *, Pearces Mill #4 *: Tract 0017: Block Group 2: Block 209, Block 214, Block 215, Block 217; Block Group 4: Block 406, Block 407; Cumberland #1 *, Cumberland #2 *, Hope Mills #2 *, Beaver Lake *, Brentwood *, Cottonade *, Montclair *, Morganton Road #1 *, Morganton Road #2 *, Seventy First #1 *, Seventy First #2 *: Hoke County: Allendale, Antioch, Blue Springs, Puppy Creek, McCain, Raeford # 4, Stonewall, Buchan, Raeford # 1, Raeford # 2, Raeford # 3, Radford # 5, Rockfish; Montgomery County; Moore County: Township 7, McNeill, Township 9, Mineral Springs; Richmond County, Scotland County, Stanly County; Union County.

District 9: Lincoln County: Westport, Daniels/Vale, Iron Station, Hickory Grove, North Brook I/II, Asbury, Salem, Boger City, Crouse, Denver, Heavners, Lincoln/North, Lincoln/South, Long Shoals, Lithia, Love Memorial, Lowesville, Pumpkin Center, Triangle; Mecklenburg County: Remainder not in District 12.

District 10: Avery County; Burke County: Drexel #1 *, Drexel #2 *, Drexel #3 *, Icard #1 *, Icard #2 *, Icard #3 *, Icard #4 *, Icard #5 *, Jonas Ridge *, Lovelady #1 *, Lovelady #2 *, Lovelady #3 *, Lovelady #4 *, Lower Creek *, Lower Fork *, Morganton #1 *, Morganton #3 *, Morganton #4 *, Morganton #5 *, Morganton #6 *, Morganton #7 *, Morganton #8 *, Morganton #9 *, Morganton #10 *, Quaker Meadow #2 *, Silver Creek #1 *, Silver Creek #2 *, Silver Creek #3 *, Silver Creek #4 *, Smoky Creek *, Upper Creek *, Upper Fork *; Caldwell County: Hudson #1 *, Hudson #2 *, Johns River *, Kings Creek *, Gamewell #1 *, Gamewell #2 *, Lenoir #1 *, Lenoir #2 *, Lenoir #3 *, Lenoir #4 *, Little River *, Lovelady-Rhodhiss *, Lovelady #2 *, Sawmills *, Lower Creek #1 *, Lower Creek #2 *, Lower Creek #3 *, Lower Creek #4 *, North Catawba *, Wilson Creek *: Tract 0309: Block Group 1: Block 127D, Block 127E, Block 162B, Block 164B, Block 165, Block 166, Block 167, Block 168, Block 169, Block 170, Block 171, Block 172, Block 181, Block 182, Block 183, Block 184, Block 185, Block 186B; Catawba County, Cleveland County, Gaston County, Lincoln County: Buffalo Shoals, North Brook III; Mitchell County, Rutherford County: Golden Valley township, Logan Store

township; Yancey County: Ramseytown *: Remainder not in District 11.

District 11: Buncombe County, Burke County: Linville #1 *, Linville #2 *, Quaker Meadow #1 *: Cherokee County: Clay County: Graham County: Haywood County: Henderson County, Jackson County: McDowell County: Macon County: Madison County: Polk County: Rutherford County: Camp Creek township, Chimney Rock township, Colfax township, Cool Spring township, Duncans Creek township, Gilkey township, Green Hill township, High Shoals township, Morgan township, Rutherfordton township, Sulphur Springs township, Union township: Swain County: Transylvania County: Yancey County: Burnsville *, Cane River *, Egypt *, Ramseytown *: Tract 9602: Block Group 1: Block 101B, Block 108D, Block 114, Block 120, Block 121: Green Mountain *, Jack's Creek *, Brush Creek *, Crabtree *, South Toe *, Pensacola *, Price's Creek *.

District 12: Alexander County: Cabarrus County: Township 4, Box 3 *, Township 4, Box 9 *, Township 6 *: Tract 0406: Block Group 2: Block 201, Block 202, Block 217, Block 219: Tract 0417: Block Group 2: Block 243A, Block 250A, Block 252A, Block 253A, Block 297: Township 7 *: Caldwell County: Globe *, Mulberry *, Patterson *, Wilson Creek *: Tract 0309: Block Group 1: Block 106B, Block 107B, Block 108B, Block 108C, Block 124B, Block 125B, Block 126B, Block 173, Block 174, Block 175, Block 176, Block 177, Block 178, Block 179, Block 180: Yadkin Valley *: Davidson County: Abbotts Creek *, Alleghany *, Arcadia *, Boone *, Holly Grove *, Liberty *, Denton *, Emmons *, Silver Valley *, Healing Springs *, Jackson Hill *, Lexington No. 1 *: Remainder not in District 5; Lexington No. 3 *, Lexington No. 4 *, Welcome *, Midway *, Reeds *, Tyro *, Silver Hill *, Thomasville No. 1 *, Thomasville No. 2 *, Thomasville No. 3 *, Thomasville No. 4 *, Thomasville No. 5 *, Thomasville No. 7 *, Thomasville No. 8 *, Thomasville No. 9 *, Thomasville No. 10 *, Yadkin College *: Davie County: Forsyth County: Clemmonsville #1 *, Clemmonsville #2 *, Lewisville #3 *: Iredell County, Mecklenburg County: LEM *: All except Tract #062.02: Block Group 2: Block 254:: Randolph County, Rowan County: Bradshaw *, Enochville *, Blackwelder Park *, Bostian School *, N. China Grove *, S. China Grove *, East Kannapolis *, West Kannapolis *, East Landis *, West Landis *, Cleveland *, Franklin *, Barnhardt Mill *, Rockwell *, Bostian Crossroads *, Faith, Faith Noncontiguous, Locke *, Sumner *, Morgan I *, Morgan II *, Mt. Ulla *, Gold Knob *, Granite Quarry *, Hatters Shop *, Milford Hills *, West Innes *, North Ward II *, Trading Ford Noncontiguous A, Scotch Irish *, Steele *, Unity *: Wilkes County, Yadkin County.

(b) The name and boundaries of townships specified in this section are as they were legally defined and in effect as of January 1, 1980, and recognized in the 1980 United States Census.

(b) The names and boundaries of townships, precincts (voting tabulation districts), tracts, block groups, and blocks, specified in this section are as they were legally defined and recognized in the 1990 U.S. Census, except as provided in subsection (c) of this section. Boundaries are as shown on the IVTD Version of the United States Bureau of the Census 1990 TIGER Files, with such modifications as made by the

Legislative Services Office and shown on its computer database as of May 1, 1991, to reflect census blocks divided by prior district boundaries, and precincts added or modified as outlined in subsection (c) of this section.

(c) For Guilford County, precinct boundaries for High Point Precincts 20, 23, and 24 are as modified by the Guilford County Board of Elections and shown on the Legislative Services Office computer database as of May 1, 1991.

For Mecklenburg County, precinct boundaries are as altered by the Mecklenburg County Board of Elections as reported to the Legislative Services Office and shown on the Legislative Services Office computer database as of May 1, 1991.

For Wake County:

- (1) St. Marys Precinct #7 is as created by the Wake County Board of Elections out of St. Marys Precinct #4;
- (2) Raleigh 01-27 Part is an area reported by the Bureau of the Census as part of Raleigh 01-23 but has been put by the Wake County Board of Elections in Raleigh 01-27; and
- (3) VTD ZZZZ has been assigned to the appropriate parts of Wake Forest #1 and Wake Forest #2.

all as shown on the Legislative Services Office computer database as of May 1, 1991.

For Anson, Bertie, Camden, Caswell, Franklin, Gates, Greene, Hertford, Hoke, Lee, Lincoln, Martin, Mitchell, Northampton, Pasquotank, Perquimans, Person, Tyrrell, Vance, Warren, and Yadkin Counties, precincts are as shown on maps on file with the Legislative Services Office as of May 1, 1991, except that:

- (1) In Anson County, Lanesboro #1 and Lanesboro #2 are listed together as Lanesboro #1 and #2;
- (2) In Vance County, where West Henderson II is not contiguous, the northerly part is listed as West Henderson IIA and the southerly part as West Henderson IIB;
- (3) In Perquimans County, computer VTD Code 0005 (Tract 9801, Block 550A) is actually part of Belvidere Precinct and is districted with it notwithstanding any description above;
- (4) In Greene County, Snow Hill Town Satellite is Tract 9503, Block 301A which is a part of Snow Hill Town Precinct entirely surrounded by Sugg Precinct and is districted with Sugg Precinct notwithstanding any description above;
- (5) In Greene County, Snow Hill Town Sat B is Tract 9503, Block 224B which is a part of Snow Hill Town Precinct entirely surrounded by Snow Hill Rural Precinct and is districted with Snow Hill Rural Precinct notwithstanding any description above;
- (6) Any listing in any district of Mecklenburg Precinct XMC2 Noncontiguous shall be disregarded, as that precinct does not exist;
- (7) In Martin County, any listing of VTDs not defined consists of Tract 9705, Block 413 (which is in Poplar Point Precinct), Tract 9704, Block 202 (which is in Goose Nest

Precinct), and Tract 9706, Block 168A (which is in Robersonville #2 Precinct), and those blocks are districted with those respective precincts regardless of any listing above:

- (8) In New Hanover County, Tract 123.98, Blocks 307B, 308A, 309, 310A, 311A, and 312A, listed by the Census Bureau as part of VTD ZZZZ, are districted by this section as part of Wilmington #2.

If any precinct or township boundaries are changed, such changes shall not change the boundaries of the Congressional Districts, which shall remain the same.

In the case where any individual blocks are listed above, the district allocation of unlisted water blocks shall be as found on maps and statistical reports of the districts on file with the Secretary of State.

(d) If this section does not specifically assign any area within North Carolina to a district, and the area is:

- (1) Entirely surrounded by a single district, the area shall be deemed to have been assigned to that district;
- (2) Contiguous to two or more districts, the area shall be deemed to have been assigned to that district which contains the least population according to the 1990 United States Census; or
- (3) Contiguous to only one district and to another state or the Atlantic Ocean, the area shall be deemed to have been assigned to that district."

Sec. 2. This act is effective upon ratification.

**VAUGHAN CENTER
ELIZABETH CITY STATE UNIVERSITY
ELIZABETH CITY, NORTH CAROLINA**

Friday, March 1, 1991

HOUSE AND SENATE MEETING JOINTLY

MOCK SESSION

Pursuant to **H. J. R. 202**, the House of Representatives and the Senate of the 1991 Session of the North Carolina General Assembly convene in the auditorium of the Elizabeth City State University, Elizabeth City, North Carolina.

The Joint Session is called to order by President Pro Tempore Henson Barnes.

Prayer is offered by Mr. W. C. Witherspoon, retired educator.

Presentation of Colors is offered by the ROTC Color Guard Unit from the Elizabeth City State University. The Pledge of Allegiance is led by President Pro Tempore Barnes.

Speaker of the House assumes the chair and recognizes Representative Vernon James to recognize the following local officials.

COUNTY COMMISSIONERS

Patsy McGee, Chairman
W. C. Witherson, Vice-Chairman
Bill Owens
Jimmie Dixon
Horace Pritchard
Zee Lamb
Tim Thornton
Randy Keaton, County Manager

SHERIFF

Davis Sawyer

CITY COUNCIL

Sid Oman, Mayor
Pete Hooker, Mayor Pro Tem
Zack Robertson
A. C. Robinson
Rick Gardner
Luke Skinner
Jimmie Sutton
Leola Morgan
Dorothy Stallings
Diane Pierce, Acting City Manager

POLICE CHIEF

W. C. Owens

UNITED STATES COAST GUARD

Captain Hubbard
Captain Barker

ELIZABETH CITY STATE UNIVERSITY BOARD OF GOVERNORS

Charles Evans
Joe Thomas
Lois Britt
Harold Webb

BOARD OF TRUSTEES

E. V. Wilkins, Chairman
Edna Randolph, Secretary
J. J. "Monk" Harrington
Wilbert Forbe, Trustee Emeritus
Willie Riddick, Trustee Emeritus

GENERAL ADMINISTRATION

Dr. Jay Robinson
Dr. Caldwell, Assistant Chancellor

Speaker Blue appoints a House delegation composed of the following members: Speaker Dan Blue, Representatives Margaret Stamey, James Greene, Martin Nesbitt, Gene Rogers, Artie Culp, Howard Chapin, Wayne Kahl, Mickey Michaux, David Balmer, Toby Fitch, Thomas Hardaway, Josephus Mavretic, Raymond M. Thompson, Vernon James, William Wainwright, Dennis Wicker, and Howard Hunter.

Speaker Blue recognizes Chancellor and Mrs. Jimmy Jenkins and their son, Jimmy R. Jenkins, Jr.

Representative Vernon James is recognized to read **H. J. R. 202 A JOINT RESOLUTION HONORING HUGH CALE, A FORMER MEMBER OF THE GENERAL ASSEMBLY, AND COMMENDING ELIZABETH CITY STATE UNIVERSITY FOR ITS CONTRIBUTIONS TO THE ADVANCEMENT OF EDUCATION ON THE ONE HUNDREDTH YEAR OF THE UNIVERSITY'S FOUNDING.**

Representative Wainwright speaks to **H. J. R. 202.**

Representative Raymond (Pete) Thompson reads **H. B. 383, Session 1891.**

"CHAPTER 265

"An act to establish a normal school for the colored race in the town of Elizabeth City, in the county of Pasquotank.

"The General Assembly of North Carolina do enact:

"**SECTION 1.** That it shall be the duty of the state board of education to establish a normal school at Elizabeth City, in the county of Pasquotank, for the teaching and training of teachers of the colored race to teach in the common schools of the state.

"**SEC. 2.** That the sum of five hundred dollars from the Fayetteville normal school fund and the further sums of one hundred dollars each from the Salisbury, Franklinton, Goldsboro and Plymouth normal school funds are hereby appropriated for the payment of the instructors in said normal school at Elizabeth City.

"**SEC. 3.** That all laws and clauses of laws in conflict with [this] act are hereby repealed.

"**SEC. 4.** This act shall go into effect from and after the first day of January, eighteen hundred and ninety-two.

"Ratified the 3d day of March, A. D. 1891."

Representative Thompson also reads Journal entries

"The following is lifted from the journals of the house of Representatives and Senate of the 1891 General Assembly.

"FROM THE JOURNAL OF THE HOUSE OF REPRESENTATIVES

"ON THE 17TH LEGISLATIVE DAY — MONDAY, JANUARY 26, 1891 (PAGE 155)

"BY MR. CALE, H. B. 383, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NORMAL AND TRAINING SCHOOL FOR THE COLORED RACE IN THE TOWN OF ELIZABETH CITY. REFERRED TO THE COMMITTEE ON EDUCATION.

"ON THE 45TH LEGISLATIVE DAY — FRIDAY, FEBRUARY 27, 1891 (PAGE 699)

"H. B. 383, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NORMAL AND TRAINING SCHOOL FOR THE COLORED RACE IN THE TOWN OF ELIZABETH CITY, PASQUOTANK COUNTY.

"THE SUBSTITUTE RECOMMENDED BY THE COMMITTEE ON EDUCATION IS ADOPTED. UPON THE PASSAGE OF THE BILL, MR. MCGILL DEMANDS THE AYES AND NOES, THE CALL IS NOT SUSTAINED, AND THE BILL PASSES ITS SECOND AND THIRD READINGS, AND IS ORDERED TO BE SENT TO THE SENATE WITHOUT ENGROSSMENT.

"MR. CALE MOVES TO RECONSIDER THE VOTE BY WHICH THE BILL PASSES ITS THIRD READING AND TO LAY THAT MOTION ON THE TABLE.

"FROM THE SENATE JOURNAL — (PAGE 631)

"ON THE 46TH LEGISLATIVE DAY — FEBRUARY 28, 1891 — AFTERNOON SESSION (PAGE 631)

"On a message from the House of Representatives

"H. B. 383, S. B. 1096, A BILL TO ESTABLISH A NORMAL AND TRAINING SCHOOL FOR THE COLORED RACE IN THE TOWN OF ELIZABETH CITY, PASQUOTANK COUNTY. PLACED ON THE CALENDAR.

"ON THE 46TH LEGISLATIVE DAY — FEBRUARY 28, 1891 — EVENING SESSION (PAGE 636)

"H. B. 383, S. B. 1096, A BILL TO ESTABLISH A NORMAL AND TRAINING SCHOOL FOR THE COLORED RACE IN

THE TOWN OF ELIZABETH CITY, PASQUOTANK COUNTY, PASSED ITS SECOND AND THIRD READINGS AND WAS ORDERED ENROLLED.

"ON THE 48TH LEGISLATIVE DAY — MARCH 3, 1891 — (PAGE 687)

"H. B. 383 , S. B. 1096, AN ACT TO ESTABLISH A NORMAL SCHOOL FOR THE COLORED RACE IN THE TOWN OF ELIZABETH CITY IN THE COUNTY OF PASQUOTANK;"

H. B. 383 passes second and third reading and is ordered sent to the Senate by Special Message.

Representative Toby Fitch moves to reconsider the vote by which the bill passes its third reading and that this motion do lie on the table. This motion carries.

President Pro Tem Henson Barnes assumes the chair and appoints Senators William Martin, Bob Martin, Ralph Hunt, Howard Lee, Frank Ballance, Marc Basnight, and Beverly Perdue as a delegation from the Senate to the Mock Session.

Senator Basnight is recognized to speak on the resolution.

Senator Ballance is recognized to speak on the resolution.

H. B. 383 passes second and third reading and is ordered enrolled.

Speaker Blue and President Pro Tem Barnes present certificates of commendation from the House and Senate to Chancellor Jimmy Jenkins.

Chancellor Jenkins makes remarks on behalf of Elizabeth City State University officials.

Representative Howard Hunter moves that the Joint Session adjourn, seconded by Representative Nesbitt, and this motion carries.

**EXECUTIVE ORDERS OF
GOVERNOR JAMES G. MARTIN
By Title
1991**

NUMBER TITLE

130 Supplementing Executive Order Number 114

131 Amendment To Executive Order Number 15 Juvenile
Justice Planning Committee

- 132 Establishment of Governor's Council on Alcohol and Other Drug Abuse
 - 133 Expanding the Membership of Governor's Highway Beautification Council
 - 134 Granting Special Readjustment Leave to Employees of the State who have served with the Nation's Armed Forces During the Persian Gulf Conflict
 - 135 Rescission of Executive Orders Number 88 and Number 102 Columbus Voyages Quincentenary Commission
 - 136 Establishing the North Carolina Advisory Council on Telecommunications in Education
 - 137 Escrowing Contributions to the Teachers' and State Employees' Retirement System
 - 138 Amending Executive Order No. 137
 - 139 Establishing the Governor's Volunteer Advisory Council
 - 140 Appointing Special Commission to Investigate Shortages in the Northampton County Schools' Finances
 - 141 Amending Executive Order Number 90 Governor's Advisory Council on Literacy
 - 142 Child Protective Services
 - 143 North Carolina Advisory Council on Vocational and Applied Technology Education
 - 144 Amending and Extending Executive Order Number 53 The Governor's Inter-Agency Advisory Team on Alcohol and Other Drug Abuse
 - 145 Reallocating the Community Penalties Program from the Department of Crime Control and Public Safety to the Department of Correction
 - 146 Supplementing Executive Order Number 145 Reallocating the Community Penalties Program from the Department of Crime Control and Public Safety to the Department of Correction
 - 147 Establishment of the Geographic Information Coordinating Council and the Transfer of the Center for Geographic Information and Analysis to the Office of the Governor
 - 148 Governor's Task Force on Health Objectives for the year 2000
-

STATE OF THE JUDICIARY

27 FEBRUARY 1991

CHIEF JUSTICE JAMES G. EXUM, JR.

JOINT SESSION

NORTH CAROLINA GENERAL ASSEMBLY

"Before I begin my formal remarks, let me say that last week North Carolina was diminished by the loss of one of its finest sons—Joseph Branch—lawyer, legislator, counsellor to governors, and Chief Justice—a personal friend and mentor to me and to many of you here assembled. I dedicate this message to his memory and ask the Chair that we pause for a moment of silence to honor him and all that he meant to us.

"Mr. President, Mr. Speaker, members of the General Assembly, fellow justices and judges, ladies and gentlemen: Thank you for permitting me to appear again on behalf of our state's judicial branch of government. My hope is to be helpful without imposing. My mother warned me against wearing out my welcome. I will be mindful of her warning.

THE GENERAL COURT OF JUSTICE

"Article IV of our state's constitution provides for a 'unified judicial system' known as the General Court of Justice. Except for the power of impeachment, which you have, Article IV authorizes the General Court to exercise the judicial power of the state. Article IV divides the General Court into three divisions, Appellate, Superior Court and District Court. It further divides the Appellate Division into the Supreme Court and Court of Appeals. It provides for an 'administrative office of the courts' to help administer the General Court.

"We should be proud of the structure of our unified court system. It has become the model which other states have followed and are continuing to follow. Therefore, we should be vigilant to protect its integrity.

"Now let me report on how the system is operating.

CASE FILINGS

"The judicial power is the power to decide disputes between citizens or between the state and a citizen. When these disputes get to court, we call them 'cases'. Numerically, almost all cases are filed and decided in our trial divisions. Unprecedented annual increases in case filings in these divisions, which I reported to you in 1989, continue. Caseloads per judge, prosecutor, magistrate, and clerk continue to rise. Case

inventories continue to increase. Average and median ages of cases pending continue to creep up. Although average time from filing to disposition is also increasing, these times, at all levels of our system, trial and appellate, are within the zone of reason.

"Total filings in our trial divisions in fiscal '89-'90, not including juvenile or mental health commitment proceedings, were 2,493,245, a new record. Total dispositions were 2,348,798, also a new record. Not since fiscal 1983 have dispositions kept up with filings in both trial divisions. From then until now the gap between filings and dispositions in both divisions has continued to grow.

"In the Superior Court filings grew 12% year before last and 8.5% last year. Dispositions increased last year by 6%. (All reference to years are to fiscal years and percentages have been rounded.) Felony filings last year increased 11%. Drug case filings alone increased 31% and they now comprise 29% of the felony docket in Superior Court. There were 63,035 cases pending at the end of last year, an increase of 20% over the previous year. The median age of pending cases increased from 219 to 225 days for civil cases and from 91 to 96 days for felony cases.

"In the District Court Division filings increased 10% year before last and 3% last year. Dispositions last year increased 3.6%. Last year motor vehicle criminal and infraction filings increased only 2%; but non-motor vehicle criminal filings increased 8%, domestic relation cases 7%, and general civil cases 9%. Civil magistrate filings decreased by 5%. Motor vehicle criminal and infraction cases account for 1,166,000 of the 2,270,000, or about 51% of district court filings. They are also the least difficult and consume less time per case than the other categories. But it is these other categories of cases, particularly the domestic relations cases, many of which involve complicated equitable distribution proceeds, that account for the real workload of the District Courts. The dramatic increases in these categories just in the last year are significant. In the last year pending civil cases in the District Court increased by 9%, pending domestic relations cases by 13% and pending non-motor vehicle criminal cases by 15%. The median age of pending cases increased from 176 to 206 days for domestic relations cases, 170 to 177 days for civil cases, 58 to 65 days for non-motor vehicle criminal cases.

"Our judges, prosecutors, magistrates and clerks are working hard under heavier than ever caseload burdens. From 1983 to 1989 caseloads per personnel per year have increased as follows: Superior Court Judges, 811 to 1,174, 45%; District Court Judges, 4,277 to 6,505, 52%; Prosecutors, 2,886 to 4,529, 57%; Clerks, 1,029 to 1,370, 33%; and Magistrates Small Claims Court, 623 to 928, 49%.

"Thanks, however, to the much needed increase in personnel you authorized us in the 1989-91 biennium, our courts, statewide, are not in crisis in terms of being able to handle the ever growing caseloads. Without this increase we would have been by now in or on the verge of crisis. Ever increasing inventories of pending cases and the increasing ages of these cases are storm clouds on the horizon. They show that we are not, and have not been for several years, keeping up. We are not

hopelessly behind, but we continue to fall further behind. Some districts, mostly our more urban districts, are in worse shape than others. Some Mecklenburg court officials report they are in crisis and are no longer able to prosecute many criminal cases that should be prosecuted. Mr. Freeman and I are presently trying to sort out this situation in relation to the needs of other districts.

ALTERNATIVES TO LITIGATION

“Our alternatives to litigation programs—court ordered arbitration and child custody mediation—which in 1989 you authorized us to use statewide, are promising. In the pilot districts, where they have been operating for several years, we have been able both to reduce the number of scheduled jury trial sessions and to improve the speed of case dispositions in the district court. We are expanding these programs to more districts as funds permit. Thank you for your approval of them and your recognition of their merit.

COURT EFFICIENCY

“When we talk of efficiency in our courts, we need to remind ourselves that there is a limit to the efficiency that can be squeezed out of any court system. Our courts’ duty in deciding disputes is to see that justice under the law is done in each individual case. As to each dispute, no matter how routine or how momentous, judges must give individualized attention and achieve an individualized resolution tailored to that particular dispute. Cases are like snow flakes; no two are exactly alike. Justice cannot be mass produced, and it must not be sacrificed on the altar of efficiency. There comes a time, as during the current biennium, when increased personnel is the only reasonable solution. We will not ask for these increases if we do not need them, and we know this is not a good time to ask. But when we can demonstrate the need, we hope you will be able to respond favorably.

COSTS

“The Judicial Branch operates, comparatively, without a great deal of cost to the state. For fiscal ‘89-‘90 you appropriated \$200,807,000 to the Judicial Branch. This figure is only 3% of all General Fund appropriations for all the operating expenses of state government. It works out to an average per case cost to taxpayers of about \$80.00. The actual net cost to taxpayers is far less. From fees, fines, forfeitures, and other collections, our courts recovered last year nearly \$120,000,000, most of which—\$115,330,000—we returned to the state and to local governments. The net appropriation to the Judicial Branch was, therefore, \$85,477,000. That works out to an average cost per case to taxpayers of \$34. That may be the best bargain in town!

SALARIES

“I am not going to say anything this year about judicial branch salaries. We do continue to slip further behind comparable surrounding

southeastern states. But enough of that. Let me simply refer you to the report of your Legislative and Judicial Salary Study Commission. Attached to this speech is a table comparing current salaries with those of other comparable states and those which your study commission recommended be in place by July of this year.

JUDICIAL SELECTION AND RETENTION

"The darkest storm cloud on the judicial horizon with the potential to wreak the greatest havoc, is our continued use of partisan political elections for the selection and retention of our judges.

"My position on this is well known. I spoke at length to you about it in 1989, and I am not going to belabor it today.

"Just let me say that there is more momentum for change today than we have ever had before. Many who were opposed to change are now persuaded that change must come. Listen to this letter written last November by a prominent North Carolina attorney to one of his colleagues:

'Over a year ago I met ... with Chief Justice Exum. He warned of a demeaning "judges for sale" atmosphere such as happened in Texas. He also warned that there would soon come to a time when candidates wanted judicial office so badly that the truth would be obscured by campaign rhetoric, distortion, and exaggeration. While I appreciated the Chief Justice's concern, I did not share it ... I was wrong.'

"I hope you will seize the momentum we have and act favorably on Senate Bills 71 and 72 or House Bills 102 and 103. There are some differences between the House and Senate versions of the implementing legislation in the way the Judicial Selection and Retention Commission works. Both the Senate and House versions are good bills. Personally, I can support either. I hope you will not let these differences in detail kill the bills. Instead I hope the Senate and House will work cooperatively and constructively to resolve the differences and enact the legislation. My only suggestion now regarding these bills would be that you add representatives from the District Attorney and Public Defender Associations to the Selection and Retention Commission.

"If you can avoid the pitfalls of minor differences between the chambers and linkage with other measures and pass this legislation standing on its own merits, you will have taken a giant step—as big a step as any legislature has ever taken—to preserve the independence and impartiality of our courts, and the people's confidence in them. I urge you to take this step.

INDIGENT REPRESENTATION

"Two of our toughest problems are access to our courts for all people and providing the indigent criminally accused with legal counsel. These problems become acute in hard financial times. But if we do not address and solve them, our system of justice will be without integrity and credibility. It will be a system which promises but does not deliver.

"Our courts promise to be available equally to all persons—rich or poor. Our state constitution's Declaration of Rights, older even than the federal constitution, promises that 'All courts shall be open; every person for an injury done ... shall have remedy by due course of law' Theoretically, our courts are open to any person with or without counsel. Practically, they are not open very wide to those persons who have no lawyer. Our laws and procedures are too complex a thicket for one not trained in them to navigate.

"Many lawyers, on their own initiative and through programs sponsored by various lawyers' associations, particularly the North Carolina Bar Association, help us keep this promise by simply volunteering their services to those who cannot afford to pay for them. Thank God for these lawyers. They are responding to our profession's highest calling. The North Carolina Legal Services Corporation also provides lawyers for persons who cannot afford their own. Without all these lawyers, our constitution's promise of open courts can not be kept.

"In 1989, for the first time, you provided financial support for the Legal Services Corporation. It helped a great deal, and I thank you for it.

"Our constitutions also promise that the criminally accused shall enjoy the right to effective assistance of counsel. Recognizing your constitutional responsibility, you have mandated by statute that the state provide counsel for the criminally accused at various stages of the proceedings, and you have for many years appropriated substantial funds to pay lawyers who represent indigent criminal defendants. You have also asked the AOC to administer these funds. We believe we have administered them responsibly.

"Nonetheless, the funds we have requested and you have appropriated have not, in recent years, seemed to be enough. This is due probably to unprecedented increases in criminal, and particularly drug, cases, in our system. Lawyers are unhappy, judges are unhappy, defendants are unhappy, the taxpayer is unhappy, and you are unhappy.

"Last year I appointed a committee of judges, lawyers, a district attorney, and a public defender to study this problem and recommend a system that would be fair to lawyers, fair to defendants, and fair to you and the taxpayers. Early this year, the committee filed its report, and you will receive a copy. I endorse the recommendations made by a majority of committee and urge you to help us implement them. They will improve this program.

"There are three programs we believe save money in furnishing counsel to indigent defendants. They are our Public Defender program, our Resource Center for capital cases, and our Indigency Screening Program. Counsel costs per case are inevitably lower in our Public Defender districts than in districts which rely on private assigned counsel. The Resource Center for capital cases helps us attract volunteer lawyers to appear in these cases. It also helps reduce the fees of the lawyers we pay because the Resource Center provides them with legal research and other aids in preparation of the cases which they would otherwise have to provide for themselves. The Resource Center also helps to avoid

costly retrials on the ground of alleged ineffective assistance of counsel at the first trial. The Indigency Screening Program helps us ensure that only those entitled to appointed counsel get them.

"I hope you will be able to continue your support of the Resource Center and the Indigency Screening Program and authorize us to expand our Public Defender program into more districts where it would be cost effective. Problems with programs for the poor and the indigent criminally accused become acute in hard financial times. It is easy to cut these programs, for those who benefit by them have no constituencies and no political clout. All they have going for them is the Constitution and your wisdom.

"Thank you again for providing me this opportunity to talk to you about our concerns. Our three branches of government, after all, are separate, but they are interdependent. You depend on us to apply properly the laws you enact. We depend on you to understand our problems and respond to our needs. We depend on the executive to enforce our decrees. You have the power of the purse; the executive, the power of the sword. The judiciary has only the power of reason, perhaps the most fragile of all the powers. Its existence depends on help from the sword and the purse.

"Thank you for your attention."

COMPARATIVE JUDICIAL SALARIES

	North Carolina		Alabama	Georgia	South Carolina	Virginia
	Current Salary	Recommended by Legislative and Judicial Salary Study Commission	Effective 1 October 1991			
<u>Supreme Court</u>						
Chief Justices	91,146 89,532	97,600 96,000	108,125 107,125	92,778 92,778	95,961 91,163	106,301 99,709
<u>Court of Appeals</u>						
Chief Judges	86,664 84,768	93,600 92,000	106,625 106,125	92,179	90,251 86,606	95,724 94,724
<u>Superior Court</u>						
Senior Regular	77,736 75,259	89,600 88,000	72,500 ¹	83,587	86,606	92,564
<u>District Court</u>						
Chief Regular	66,396 63,864	81,600 80,000	71,500 ²			83,307

1. Supplements up to \$32,625.
2. Supplements up to \$32,175.

**STATE OF THE STATE ADDRESS
BIENNIAL BUDGET MESSAGE**

**Governor Jim Martin
North Carolina General Assembly
Joint Session
February 2, 1991**

LIEUTENANT GOVERNOR GARDNER, SPEAKER BLUE, HONORABLE MEMBERS OF THE NORTH CAROLINA GENERAL ASSEMBLY, LADIES AND GENTLEMEN:

"Once again, in response to your kind invitation, and in response to the challenges facing our State, I have come to present my biennial budget message, and to review with you the State of the State of North Carolina.

"We meet at a time of great national distress, and profound responsibility. A time when once again North Carolina has been called upon for a greater portion of duty and sacrifice. We begin this occasion with our prayer for an honorable conclusion to war, and for the safe return of those men and women whose courage and training and patriotism represent us and our nation in the Middle East. I want you to pause with me for a moment of personal, silent prayer; remembering those who have fallen, and our beautiful friend Senator Jim Ezzell...

"As a constant reminder of their sacrifice, I carry with me or keep visible on my desk this small bottle of Arabian desert sand sent to me by National Guard Sgt. First Class S. C. Davis, tactical communications chief with the 139th Rear Area Operations Center. Over there. It was delivered by her proud husband Chester.

"In addition to the highly acclaimed 'Operation Family Shield' to help all our National Guard and reservists with emergency expenses, we have already provided our 211 state employees over there that their job is waiting when they return, and we're going to extend their paid personal leave benefits 10 working days to help them resettle. And all North Carolina military over there will be allowed to delay filing income taxes until June 15. They are all our neighbors. And we are very proud of them.

"We meet today amid growing concern over the competitiveness of our state and national workforce, both now and in the coming century. We know that too many of our workforce are undereducated, and our community colleges underfunded. Too many reports point to the inadequacy of our investment in our most important resource: our people...not so much in terms of the financial magnitude of that investment as in the effectiveness of the programs in which we have invested. We know we must do more, and we know we must do better. That is our greatest challenge for the Nineties. And that is why, if this year is to have a focal theme, it must become THE YEAR OF THE WORKER in North Carolina. The Year of the educated, trainable, globally competitive Worker.

"Clearly, we must change how our schools prepare for work those students who do not intend to go to college. Unless they are trainable

for higher skill levels, they will not qualify for higher paying jobs in an increasingly technical workplace, where the unskilled jobs have almost disappeared: down to 30% of the total now and 15% by the next decade.

"That doesn't mean easier frill courses...so everybody can graduate. Nor does it mean teaching specific job routines in school. No, It means more *math, science* and *language*, just like in every other industrial country; so they understand the underpinnings of Zero-Base Defects, Just-in-Time Deliveries, and Flexible-Automated-Manufacturing. We don't teach that; but we will.

"We meet, too, amid the second consecutive year of severe fiscal constraint, in which our capacity and determination to meet our challenges with fiscal integrity will be profoundly tested.

"For seven years in a row, spending on PUBLIC SCHOOLS has been *the* number one priority. Nothing else has come close. Rarely before has our schools' share of the General Fund been increased in even one isolated year; indeed, in only two of the 24 years preceding this administration, namely in 1966 and 1984. Yet, for five of the last six years the percentage of the General Fund going to public schools has been raised both in budgets submitted by me and in those adopted by you. For that, I congratulate you, and share with you an otherwise unrequited satisfaction for putting our priorities right where they should be, whether or not anyone noticed.

"Stated another way, over the last six fiscal years, public school appropriations have grown from \$1,887,000,000 in 1984-85 to \$3,329,000,000 in this fiscal year, 1990-91. I do not intend to burden you with many statistics today, but I do want you to know that one: a 76 percent increase of almost one-and-a-half billion dollars in six years. Even with today's reductions. That's about a *billion dollar* increase over and above the combined 30 percent inflation rate.

"Do we see a billion dollars worth of improvement? In inputs, yes. We provide more teachers, more support personnel, more administrators; and with better pay. Are we catching up yet?

"Still, there are many shrill voices today calling for massive increases in spending for schools, as if throwing more money is the path to excellence in education. It isn't. We already tried that. It didn't work.

"My proposals for education spending increases are limited because of the extremely tight budget picture. Nevertheless, with the help of a recent Summit Meeting of leading educators and education study commissions, I can bring you their consensus list of strategic, vital needs for educational investments which must not be deferred; which we cannot afford to delay until a stronger economy comes along. Indeed, the budget improvements I am recommending for education are of a kind and quality that without them, we might injure North Carolina's ability to grow again after this recession.

"There are many other very good ideas for schools which I do not believe we can afford just now. But I urge you to provide \$22 million

for continuing the reforms of last session's Senate Bill 2 (the Public School Improvement and Accountability Act). Community College Literacy and Job Training Programs (including statewide extension of the resoundingly successful Tech Prep) will require an additional \$40 million to better serve the needs of adults and those young people who plan to go to work after high school.

"That Summit consensus also endorsed even greater local control and flexibility, especially for BLOCK GRANTS for the existing funding of the Basic Education Plan, which *should not be abandoned, but held accountable* for better student performance. Therefore, I will ask you to honor the local leadership of our schools by granting to those meeting the requirements of Senate Bill 2 almost total flexibility, for *them* to decide the specific allocation of B.E.P. positions; subject only to a limitation on the number of *non-teaching* positions. With more flexibility in the form of Block Grants, I believe they will get better results with the same money.

"It was strongly felt by Summit participants that more academic rigor should be built into *all* course work. We want to see higher standards not only for graduation, but for certifying Mastery of a Core of Basic Skills at the 8th grade level. That would be followed by offering a career oriented curriculum to better prepare those students who plan to go to work after high school.

"One of the top recommendations was for the elimination of tenure for school administrators...to increase accountability at every school-house. And at the State level there was strong support for having the State Superintendent appointed by the State Board of Education, so they have to work together, and decentralizing the State Department.

"The need to develop much greater parental involvement, both in school policy formation and in the supervision of their children's work, was a strong consensus. A third of the participants supported 'Schools of Choice' as the ultimate in accountability. Many other states have experienced a high degree of success with this, with safeguards to prevent resegregation. Everywhere, the results are too good to ignore. Now it's our turn.

"It was shown that schools in small counties are inadequately funded by the uniform allocation based solely on enrollment. The best idea for remedying this was the proposal from the Public School Forum for \$12 million for a Minimum Allocation to schools in counties with less than 3,000 students. My budget phases in \$6 million beginning in the second year of the biennium.

"I am at the same time proposing that the State fund only one central office staff per county. That is in no way intended to dictate school merger or consolidation to unwilling districts, for that should remain a local decision. It just means that any county preferring multiple school systems must raise the money locally for any extra administrative staff. Or take it out of their B.E.P.

"Certainly, no educational improvement is more desperately needed today than a more widely available Developmental Day Care for

4-year-olds, especially those who are at greatest risk of failing to master the basic skills in their primary grades. Generally, these are youngsters who have no one to 'lap-read' to them at home. If their parents cannot read, or are too tired after two jobs, or if there is the violence of child abuse or spouse abuse, or drug abuse (often the root cause of the violence), then these children will not experience the excitement and satisfaction of the English language, or the family bonds which encourage them to believe in themselves.

"Here's how we fix that. We have resources available for a substantial improvement, thanks to Congressional passage of the Day Care Act of 1990. My budget will include \$26.6 million of this to enhance state and federally funded day care for 15,610 more children, including 5,225 additional 'at-risk' 4-year-olds. Secretary Dave Flaherty and staff who have developed our plan for 'Uplift Day Care' will give you a full report tomorrow morning. It will improve the staffing ratio for babies (as recently recommended by Day Care Commission Chairman Donna Ballenger), will reach all the current waiting list for Headstart and State Day Care, and raise the eligibility line from 60 percent to 75 percent of median income, and with the help of private foundations will reach all 15,000 currently identified 'at-risk' 4-year-olds, statewide! All this through an emphasis on parental choice. What a great advance for a worthy cause: to ensure their future.

"On a related front, I am again proposing an increase of \$12.8 million for similar preschool advantages for those 4-year-olds handicapped with developmental disabilities.

"My budget also proposes an additional \$28 million for the University of North Carolina, without specifying for what purposes it is to be allocated, only that it should come from optional tuition increases. Part of that increase in tuition should be set aside (on the order of 25%) for grants-in-aid based on need, as recommended by the UNC Student Body Presidents Association, so that the increase not price our University out of the reach of lower income families. No institution would be required to raise tuition if its respective Board of Trustees did not believe that to be desirable, but each would retain its own tuition proceeds for university enrichment.

"I endorse the suggestion from Chancellor Paul Hardin that each institution's Trustees select and develop a list of 10-to-30 peer institutions across the nation as representative of those against whom they would want to be compared academically, and submit their peer list to the Board of Governors for review. The median of combined tuition and fees among its comparison group would be regarded as a maximum to which each particular UNC campus could raise its tuition and fees over a period of 3-to-5 years.

"As an additional option, I will ask you to allow at least two of the 16 institutions to be funded by means of a block grant, with the complete flexibility to allocate that resource and to operate beyond that as an enterprise. This has been successfully demonstrated at Memorial Hospital in Chapel Hill since 1989. The Board of Governors could be directed to establish criteria and standards and to review the documented

'Showing of Readiness' for the first two institutions to complete their plan.

"The North Carolina Constitution (Article IX, Section 9) requires that: 'The General Assembly shall provide that the

benefits of The University of North Carolina and other public institutions of higher education, *as far as practicable*, be extended to the people of the State free of expenses.'

"'As far as practicable' has never been taken to mean free tuition. Indeed the level of tuition as a percentage of the cost of the undergraduate instructional program is far lower than in earlier years. The low tuition for graduate and professional schools is even more startling and indefensible. Setting aside part of the proceeds from higher tuition for need-based grants will protect the access of students from lower income families, but there is no good reason not to charge more for those who can afford to pay for one of the best educational bargains in America. And at a time like this, it is no longer '*practicable*' for middle income taxpayers to subsidize low tuition for wealthy parents.

"It is at this point that I believe I should talk to you about the overall budget and how we can pay for these improvements. After conferring with many legislators, department heads, front-line employees, and business leaders, culminating with the Advisory Budget Commission, I have developed, first, a proposal to balance the 1991-92 Continuation Budget within the limited revenues available. In this way, no forced layoff of dedicated workers, and no tax increase will be necessary to balance the Continuation Budget.

"But we can't stop there.

"I then propose to cover these strategic improvements along with restoration of the 'Rainy Day' reserve by authorizing a *local* option, half-cent sales tax, coupled with elimination of the \$242 million reimbursement to local governments for the earlier repeal of the inventory tax and the intangibles tax on bank deposits. This approach was proposed and endorsed by both the N. C. Association of County Commissioners and the League of Municipalities. It will give them a more reliable source of the same revenue, and it will free up \$242 million for other State expenses. I do not believe a larger tax increase can be justified at this time.

"There is a timing problem: this must be passed in February, so the local governments can decide whether to start collecting in April, if they are going to receive it to replace the lost inventory reimbursement in June.

"This will not be enough for a general, across-the-board increase in salary levels. It will give teachers protection from another paystep freeze as hit them in 1982, which caused such unfair hardship and aggravation; and they will get the next installment of S.B. 2 performance pay. And it will provide in January for a comparable increase (\$32 million) to cover performance increments and market adjustments for

State employees and other school (non-teaching) staff. While they all certainly deserve better, it would be difficult to justify raising a larger tax on an economy with rising unemployment in order to finance higher pay raises for those fortunate enough to have a job.

"Another urgent problem for which there is still no money is the increased cost of premiums for state employees' health insurance, a very costly program, with high benefit levels, coupled with low deductibles and copayments. It has been estimated that rising costs of benefits would require another \$125 million of appropriations. Not only is that unaffordable in the limited budget we face, but it has also become unaffordable for our *employees* to elect coverage for their *dependents*. You have placed that program within the Insurance Department, to insulate it from my direction and control, so it is difficult for me to recommend any solution to you. However, I am willing to try. If your leadership will work with the State Employees Association and me to study options, I believe that within 90 days we can develop a plan for holding down costs by raising levels of deductibles and copayments and other measures.

"Let me assure you that the first objective, balancing the Continuation Budget without layoffs or tax increases, is not a simple matter. No, we've already cut spending levels this current year by \$700 million (REPEAT: \$700 million) below the appropriation levels which were deemed necessary for this year in 1989; and what my Continuation Budget does basically is force all departments to 'continue' next year at that same reduced level, 9 percent lower than had been budgeted originally for *this* year.

"So for those who properly contend that we should cut spending at least 6 percent before we consider any tax increase, I agree and reply that we have now already and responsibly cut back *half again more* than 6 percent! That's \$700 million of a \$7.6 million budget.

"Many of you share with me the conviction that no tax increase should be considered ever, except as a *last resort*. Well, I'm afraid you're right: we have now come down to that last resort.

"This is also clearly the time to consider carefully the suggestion of Senator Goldston and Representative Pope for a 'zero growth' revenue estimate. It would not make much difference in 1991-92, because there isn't much growth. In 1992-93, however, there will be growth due to any post-recession recovery. Even then, I urge you to be careful not to disregard all that next revenue, for that could force you into another tax increase for the transition.

"My budget for that second year reflects the new policy of consensus revenue estimates; but I will be anxious to see if Dr. Malcolm Gillis' Economic Future Study Commission can figure out how to do with less.

"Let me turn not to Transportation issues, and there are some exciting ones.

"Spending on highway improvements has also been dramatically improved, but *not as much as for schools*. Passage of a major construc-

tion funding program in 1989, coupled with a more modest levy in 1986, has set the stage for the greatest expansion of roadbuilding projects in history. Thanks to a determination we share to unite rural and urban North Carolina as one truly united state, we have committed the resources to complete over 3,000 miles of a strategic, unbroken network of limited access, four-lane, divided highways...a veritable Intrastate Highway System, which will bring within 10 miles of 96 percent of our people an industrial development corridor, a four-lane highway that goes somewhere. That, and completion of paving all secondary roads.

"The only amendment I would request is to reduce (to the cost of handling) the Highway User Tax on any Title transfer within a family.

"Just as the Research Triangle Park generated enormous economic potential for this one part of the State, our Intrastate system, combined with more effective schools, can do the same for all of North Carolina. Rural counties must have Better Schools; they also must have access to strategic 4-lane highways that go somewhere. Or else all you get will be (hopefully) better educated graduates who have to move away from home to find work.

"This magnificent economic boon will be paid for, as it should be, with higher taxes on highway users, which I ask you again to hold in trust for that purpose. Some are critical of the fact that we will spend \$9.3 billion on highways. That's a matter of opinion, of course, but they are false to suggest that is more than we have committed to schools. That \$9.3 billion is not the figure for just one year, but is spread over the next 16-17 years, initially at a rate of \$450 million a year...If it ever is allowed to start.

"For comparison, over these same six years we've increased annual school spending by over *three* times as much, by \$1.44 billion. At least with the highway construction program, the largest such improvement in our history, there is no doubt that we will get something for our money.

"My proposal for the coming biennium includes no further enhancement for highways, but will insist that this money from highway user taxes *not* be diverted again for any other purpose than that for which the tax was levied. I will not tolerate another raid on the Highway Trust Fund.

"An yet I must tell you there will be another effort to raid this Highway Trust Fund which was set up with increased taxes on highway users and divert it again to other worthwhile purposes which already get far more of our tax money. The education of our children is certainly our number one priority, certainly these last six years more so than ever before; but there are some who argue that it is our only priority.

"If you agree with me that the competitive viability of our rural and urban communities require both *Better Schools and Better Roads* in order to build for Better Jobs, then we must draw a line in the paving and fight hard to preserve and defend this Highway Trust Fund.

"Now, you've heard about a proposal I am exploring for a major airport development for international air cargo shipments. I invite you, and need you, to join with me to make it happen. Like the Research Triangle Park, this 5,000 acre facility offers us a rare opportunity to dominate a rapidly growing market. The potential is enormous, because any eastern-most state to provide such an airport will be in a commanding position for exports to Europe, and will lose little or nothing to western states for exports to Asia (because modern flying speeds nearly match the rotation of the earth). So, for export oriented manufacturing as well as automotive component and other 'Just-In-Time' suppliers, North Carolina would be able to offer THE most advantageous plant locations: immediately adjacent to, or integral to the taxiways of, this global-industrial complex in which aviation performs the primary distribution role. We must be attentive to the need to accommodate to the noise impacts at night, but the prospect of generating more than 30,000 jobs (roughly comparable to the Research Triangle Park), and its \$50 billion yearly impact, according to Dr. Jack Kasarda of the UNC Kenan Institute, make it worth our best effort.

"We are also working on exciting initiatives for our seaports and railroad improvements, which I will bring to you in a separate message.

"The cause of PUBLIC SAFETY has been well served by recent General Assemblies with long overdue improvements in Corrections, both prison facilities and in alternatives to imprisonment. Passage of our \$200 million bond issue now gives us the ability to move forward with our commitment to increase capacity by 6,000 inmates, to assure that the most dangerous ones will spend more time in prison and less time in our homes and neighborhoods. It was a close vote, but it passed.

"My proposal will be for us to move as planned with this badly needed construction, but delay selling the bonds until after a September issuance of \$40 million in 2/3rds Bonds. That way the fiscal impact in the tight budget of the first year will be a modest \$1.5 million, for initial debt service. Allocation and planning, however, should not be delayed.

"If this promise is kept, I will also support amending the Constitution to provide for alternative punishments. At present, our Constitution allows only five kinds of punishment to be ordered by a trial court: (1) the death penalty; (2) imprisonment; (3) fines; (4) removal from office; and (5) disqualification from office. Parole and probation, electronically monitored house arrest, victim's restitution and community service are possible only upon the option of the convicted person. Yet, even if the Constitution is amended to provide for these alternative sentences, they could not be enforced unless there is a realistic threat of imprisonment as an alternative to the alternatives. Without adequate prison space as reinforcement, the terms of probation, community service, etc. could be ignored without substantial risk of imprisonment.

"I am pleased to commend legislative leaders for working with us to approve in concept our first-ever privatized facilities for treatment and confinement of those sentenced for drug abuse, repeated drunk driving and the like. Unanimous support from your Joint Committee on Governmental Operations is a welcome, encouraging sign. Hopefully, this

session also will move forward to a stronger limitation on blood alcohol level for drivers, and stricter enforcement of all DWI laws.

"My budget can only accommodate modest improvement in programs to combat and treat drug abuse, as recommended by the Drug Cabinet: \$1.4 million this year and \$3.3 million next, in addition to other money for prenatal exposure and more Alcohol Enforcement officers. I urge you to support those proposals, too, for this is an aggravated problem and we are so dangerously far behind.

"Thanks to increased use of seat belts and strict enforcement of drunk-driving laws, recent years have seen dramatic improvement in Traffic Fatalities. Now, the Board of Transportation has committed \$5 million to install nighttime reflectors on all our major highways, in hopes of greater savings of lives. Older drivers will love it. So will I.

"North Carolina has made great progress for better ENVIRONMENT AND HEALTH, but again much remains to be done. Let me give you some examples.

"Our *infant mortality* rate is still higher than acceptable, even though last year it improved to the lowest level ever in history. Thanks to the recent expansion of the Baby Love program initiated in 1988, with your \$10 million of added funding last year, and the new privately funded 'Healthy Start Foundation' initiated by my Infant Mortality Commission, we can expect to see even better results this year and next. We have learned from painful experience though, not to relent, so I am asking for a \$2 million increase followed by another \$2 million in 1992-93.

"Many families face the anguish of *Alzheimers*, *epilepsy*, *diabetes* and other degenerative or memory loss afflictions. It won't cost much to help. Based on the lead of Guilford County, I am asking the Center for Missing Persons to establish a statewide program with guidebooks, registration and identification bracelets to help these neighbors be returned home safely. We can ask charitable agencies to help cover the cost of such bracelets for the indigent.

"No health or environmental problem ever has been as difficult to solve as 'HAZARDOUS WASTE', which means: *ordinary*, daily, industrial, commercial and household chemical wastes which are a normal and unavoidable part of a modern, industrial society. The only reason its called 'hazardous' is because that's what it is when not properly treated or disposed of. As a chemist, I had hoped to get this problem responsibly solved by now, but the resistance has been enormous. After two years of searching, with a bewildering array of restrictions (not all of which have any relevance to environment or health), our Hazardous Waste Management Commission has found only one site meeting all requirements.

"That site at Butner was on State property, once allocated for agricultural research but recently not used for anything. It was not a particularly good site; there's no such thing. It was simply the only site to meet all requirements. However, the Council of State refused to approve transfer of that property for the incinerator-and-recycling complex.

"That means our search is at an end unless you can help. I will ask you first to do one of three things. Either (a) enact legislation approving that as the preferred site, or (b) take that authority away from the Council of State so that the Commission can do the job without obstruction or help from the timid, or (c) modify or clarify some of those requirements which exceed any environmental consideration (like the 4-lane highway access and the over-reaching wetlands prohibition), so that the Commission can start looking for other sites across the State, if that's really what you want.

"Meanwhile, we need your support for concessions to any county which will come forward as a possible volunteer, although it would not be wise to blithely depend on that succeeding. I would ask you please not to enter independent negotiations, but to designate a committee to work with my administration on this.

"This year we must try to join with our neighboring states as they seek to establish a Multistate Compact with shared facilities for hazardous waste disposal. This is the only route for them or us to be able to meet our needs in a way that can prohibit outside states from dumping on us. It must be done. But first, North Carolina needs to move forward to show our neighbors that we can finally deliver on our responsibility to deal properly with at least a part of such wastes.

"Our record these past 15 years has left us with an untrustworthy reputation with hazardous wastes, because we have insisted on dumping on our neighbors. If there's going to be a Hazardous Waste Compact, with Constitutional safeguards to block outside generators from our facilities, then let's move to show that we deserve to be in it.

"Meanwhile, my budget contains additional funding (\$264,000 on an annualized basis, beginning in January) for the Pollution Prevention Pays program, for technical assistance to businesses in reducing the amount of their hazardous waste. That has been a successful effort, but cannot *eliminate* the need for commercial treatment facilities. Already this week, two major industrial prospects, both CLEAN, with the capacity to handle most of their own chemical waste, have raised a concern whether we will have the courage to meet this challenge. Apparently, rival states are beginning to tell the truth on us.

"North Carolinians have responded to most other environmental challenges with vigor and enthusiasm. However, too often the issues are not clear, or the facts are subject to disinformation campaigns, either to obscure the extent of damage or to make it appear worse than it truly is. For that reason, I had asked Secretary Cobey and a special task force headed by Dr. David Moreau to develop and recommend an Environmental Index for North Carolina. Their report is about to be released. I believe you will be very pleased with the prospect of having a realistic frame of reference for environmental problems, so that we can intelligently direct our resources to those which are significant. There are some real wolves out there, after all, and we can defend better against them if we are not distracted by over reaction to those less significant.

"I have another special concern for the lack of coordinated protection for the natural attractions of our mountain region. Far too often,

lovely vistas are spoiled by clutter. Unattractive commercial properties jam up against picturesque churches or quaint villages. And no one seems willing to take the lead to save this natural treasure. The time has come to do for our 24 mountain counties what the Coastal Area Management Act (CAMA) has done for 22 eastern counties. Let's give them the same authority and sense of obligation to develop land use plans and zoning controls and watershed protection through a Mountain Area Planning system (MAPS). Fifteen years later, let's do it before it's too late.

"I do not propose zoning decisions made in Raleigh, or by state agencies; but locally enacted ordinances and locally adopted maps. But unless we begin now to protect the beauty of this priceless asset, it won't be long until all of highways 19, 64, 74, 221, 321, 421, and 441 (along with dozens of others) will have become so cluttered with wall-to-wall strip development that they will add nothing but eyesore to the natural grandeur of our mountains, and will detract from their accessibility for tourists.

"As difficult as land-use planning and zoning can be (and I know first-hand, having led the first county-wide zoning in the State in 1973), it is the only way left to protect the value of homes and tourist attractions and church sites from having junk next door; to keep billboards more discreet, so they don't look so trashy; and to save the ancient New River from being 'developed' into a drainage culvert. What an exciting challenge!

"For the last three consecutive years reported (1987, '88, and '89), North Carolina led the nation in new factories, and ran about third place in non-manufacturing. Not bad! Certainly, this has helped to build a cushion against recession and unemployment, which otherwise would surely be worse. There are serious concerns about how to keep the pipeline filled with potential projects, but Secretary Broyhill and his people are working very hard at it. It is likely that this month will reach the all-time high for new project commitments. Stay tuned.

"And, speaking of pipelines, our efforts to get an alternate source of supply for natural gas, especially for downeast, are being answered affirmatively in the industry.

"The most critical need in this area is to reorganize economic development for better coordination and better results. The Auditor's report showed that we spend \$136 million a year on 43 (far too many) independent, uncoordinated, even duplicative operations scattered across the State 'dealing with' economic development. Too often, there is no accountability for their separate efforts, nor any practical way to keep score of whether each of them is doing anything really useful or not. Therefore, I propose that we direct all of this expenditure through the Department of Economic and Community Development, so that someone will have authority and accountability for it; so that we can expect to get better results for less money.

"And while we're at it, wouldn't it be nicer and simpler to name it just the Department of *Commerce*?

"Each session in recent years has dealt with important reforms in the workings of government. This is to be no exception. One troubling issue which needs to be addressed is the question of ethical standards for public officials. This deserves your careful attention. We should clarify policies relating to the acceptable nature and magnitude and purpose of gifts. That does not mean that an absolute prohibition is needed, for reasonable standards with adequate reporting requirements will reassure the public. Especially for elected officials and those appointed to positions having any regulatory, purchasing, or other decision-making authority, I would hope that we could work together to clarify what is expected.

"The most important reform expected by the people is the VETO. Every year I have urged you to authorize a vote of the people for the VETO for the Governor of North Carolina, just like every other state. This will not be an exception. We remain the only state where the people have never once been trusted to make that historic, fundamental, balancing decision between executive and legislative branches. It should be an embarrassment to you.

"Recognizing that you are not likely to apply that historic amendment during my remaining term, it will nevertheless be a major objective for me to achieve that legacy for my successors. Having tried unsuccessfully last session to win enough votes in the House either for a 'Balance of Powers' package *or* for the veto alone, I will propose this time that we work for a bill limited to the veto and nothing else. It should be done right, and that means a 'Line Item' veto, subject to 2/3rds override ... just like most other states. The people of North Carolina will support that.

"There also should be a renewed effort to change the process for merit selection of judges. I will support that, but will send you a message later calling for appointment of appellate courts, while changing trial court judges to nonpartisan election by districts. It would be nice to have one branch of state government NOT involved in partisan politics. Until a change is made, however; as long as partisan elections are required, then you must expect them to become increasingly partisan. Trust me on this.

"I will also send you my thoughts on legislative and congressional redistricting. That is probably not a subject on which a lot of advice will be beneficial, but I will want you to know that I am interested, and watching...

"Even with these increases in revenues, there is another difficult problem which we must face. There would be no money available for capital improvements. It would not be wise fiscal management to defer again so many overdue construction projects which have had to be postponed these last two years. To enable us to meet these needs responsibly, I am proposing a \$355 million Bond Issue for Capital Projects, as follows:

(a) University Buildings	\$100 million
(b) Community College Buildings	\$ 25 million
(c) Local Water/Sewer Financing Loans	\$ 75 million

(d) Public Schools in small counties	\$130 million
(e) Mental Health Facilities	\$ 25 million

"It is clear, then, that there are many opportunities, and responsibilities, for us to serve the needs of North Carolina...even in a time of fiscal crisis. There are many needs, some of which must be dealt with now if we are to reach the next century with all the vitality and preparation expected of us. That does not, however, mean that we must do everything on every menu. We must be careful and selective.

"Until this recession is over, we could severely damage our economic viability if we raise taxes any more than is absolutely necessary. I am just as convinced that it would risk our economic future even more if we neglect those educational improvements which are strategically most vital to our capacity to come out charging after the recession. But to reassure the people that we will raise no tax that is not absolutely necessary, let us continue to look for more ways to control the size of government, especially within administration costs.

"That course might not please everyone: not those who want *no* tax increase, and not those who want a *larger* tax increase (or who want *me* to propose a larger tax increase so they can shoot it down like they did in 1989). But in this case, the test of leadership is to find the right course, to help identify and meet the most urgent needs, and to restrain our appetite for other nice but unaffordable improvements which could wait for the normal revenue growth of a burgeoning economy. That's the course I choose.

"It is to be expected that some will be critical that this budget goes too far in a recession. Others will just as surely complain that it doesn't go far enough, and that we should levy crippling tax burdens on our businesses. I take comfort in the light retort from Governor Luther Hodges about a certain local paper which, he said, 'always values its opinions above the judgment of governors and state officials.' As with Hodges' leadership and that of others, these times call not for radical excess on either side, but 'for careful steering between the extremes,' as he put it. What better model?

"You would understand my approach if you've ever tried to bring a small sailboat through a convulsive inlet in a storm. With dangers on all sides, you must be prepared and disciplined if you're to avoid the rocks and shoals. You must not panic, or try extreme maneuvers, or try to run too fast, lest you broach. Rather, you must keep a firm hand on the helm and know the warning signs, and steer very carefully; always mindful that your objective is not to fly, or drive it aground, but to come through safely to the other side.

"This recession is not forever. It will end, and then there will be revenue growth. And if North Carolina will tend to its strategic needs, and not get drawn into a spending binge when income is down, we will be ready when recovery comes. Ready with those *vital* programs and resources in place, and ready to move forward with other important improvements which we'll then be able to afford. That's the test of

leadership: TO COME THROUGH SAFELY ON THE OTHER SIDE.”

**REMARKS BY REPRESENTATIVE AL LINEBERRY, JR.
MEMORIAL FOR SENATOR BOB SWAIN**

May 22, 1991

“Senator Bob Swain was a friend for over 40 years. Asheville brought us together – he being a native of Buncombe County and I having lived there for a number of years. He and my wife, Helen, and their families, were friends throughout their lives. I don’t know how many wives Bob had during his lifetime but I am grateful that he missed my Helen.

“In Asheville when I was President of the Jaycees, Bob was one of my Board members and closest friend. Bob Swain was one who spent his life giving to the underprivileged, the underdog, the people who were at times forgotten.

“In Bob’s younger days, his life showed very early the champion he would become throughout his entire life. After leaving Asheville and moving to Greensboro, we lost track for a few years. When coming to Raleigh to serve in the House of Representatives, he greeted me as a friend and said ‘Al, its good to have you here – if I can ever help you, please let me know’. Later during that year, I had a bill to be sent to his Committee. Thinking I had a friend to help me, I was somewhat surprised when he said ‘What kind of bill is this?’. All at once my bill was gone. Later, he said to me ‘Al, that bill was so bad I wanted to be sure to live up to my promise and really help you’.

“During World War II, Bob and I were pilots. He was a fighter pilot and I was a bomber pilot. He often said that if we could have kept the ‘bombers’ out of the sky, the ‘fighters’ would have won the war much sooner.

“Bob was a humorous person. His story about his accident in the mountains one night and how long it took the highway patrol to find him still stands out in my mind. You have all heard it before. Many such stories are available.

“There are three well known names in Western North Carolina. Bascomb Lamar Lunsford, Sam Queen, and Robert ‘Bob’ Swain. Lunsford was known for his folk and mountain music; Queen – his love of Western North Carolina mountains; Swain – his concern for those who were usually forgotten, and the rights of each person through democracy.

“North Carolina was made better by Bob Swain’s contribution. He was not only a great man of the mountains but also of the entire State of North Carolina. Bob was my friend!”

**PRAYERS OFFERED IN
THE HOUSE OF REPRESENTATIVES
FIRST SESSION 1991**

by

**James W. McGinnis
House Chaplain**

January 30, 1991

O Thou who art the God of Abraham, Isaac, Jacob, Joseph, and the Lord Jesus, we lift, our hearts to Thee in gratitude for the rich heritage of North Carolina and the United States of America.

We acknowledge our indebtedness to so many persons who endured great hardships of establishing our economy, democratic government, schools, colleges and universities, churches and synagogues, and the family which is the cornerstone of our society. Just as we have volunteer men and women in the Persian Gulf today – God bless each one and their family – engaged in a conflict to resist aggression, the major participant of the United Nations forces, so throughout our history many persons have answered their governments call to service and a number of them have given their lives.

Blessed God, with the clouds of the present war so prevalent in all that we think and do, we truly pray for Your blessings upon this House of Representatives which faces increasing needs of the unemployed and street people, education of our children and young people, protection and preservation of the environment, health care and meeting these and other pressing needs with the prospect of decreasing funds from the taxpayers.

With the leadership, abilities, experience, dedication, and determination of these outstanding elected Representatives, along with Your inspiration and guidance, we are confident that great blessings – including peace – shall become a reality to all the people.

As the hymn writers John Greenleaf Whittier and Frederick C. Mak-
er have phrased it –

(Dear Lord And Father Of Mankind – hymn title)

Drop Thy still dews of quietness,
Till all our striving cease;

Take from our souls the strain and stress,
And let our ordered lives confess

The beauty of Thy peace.

We humbly pray. Amen.

January 31, 1991

O God our help in ages past and our rock of Gibraltar for years to come, we place our trust in You with the confidence that today can be better than yesterday and tomorrow can be even better than today. Truly, there is none other in Whom we can have so great assurance.

Guide, we pray Thee, Governor Martin in his State of the State address today to the joint session of the Senate and House of Representatives. From this information and challenges may this Legislature have a clearer concept of its many problems and possible resolutions of the problems, particularly those that have a funding shortfall.

Be near to all those who serve in the armed forces along with their families and friends.

Keep us near You and lead us to think, to say, and to do those things which are pleasing to You and thereby meeting the needs of our constituents as well as our personal needs.

O God, we are grieved by the untimely death of veteran legislator – State Senator James E. Ezzell, Jr. – and we extend our sympathy to Mrs. Ezzell, family, and friends.

We humbly pray. Amen.

February 4, 1991

Eternal God, we thank You for our weekend at home and our safe return to legislative responsibilities. Guide us in the choosing, selection, and assignment of members to committees, and we pray that whether one is placed on a new committee or on one he or she previously served, may each view the assignment as a new challenge and opportunity to bring great joys and happiness to those downtrodden and enrichment to all others.

May the example of the men and women serving in the Persian Gulf be an inspiration as we strive to make State Government by the people and for the people a blessing and not a burden.

We humbly pray. Amen.

February 5, 1991

O God of love and compassion, You have not promised us a bed of roses in the daily discharge of our duties and responsibilities, but we

have the assurance of Your presence, Your tender, loving care with us during every circumstance of life.

So, we pray that we may know Your will each day and have the courage to implement it for the benefit of our people and our personal growth in public service.

Let the obstacles and discouragements of these difficult times be viewed as challenges, and with Your guidance and assistance, we will overcome with patient and perseverance.

We humbly pray. Amen.

February 6, 1991

Eternal God, Who art the Author and Giver of law, from Whom alone all just designs and righteous judgments proceed, give unto all of those who frame, interpret, or administer human law the counsel of Thy Holy Spirit, that they may know themselves Thy ministers. May they neither be influenced by prejudices nor may they appeal to the weaknesses of others; but that they may deal fairly and counsel wisely in all matters; to be the servants of all people, but the hirelings of none, and thus enhance the coming of the kingdom of God on earth.

O God, our hearts have been made heavy by the death of veteran legislator – Thomas J. White, Jr. – former member House of Representatives and Senator. Our love and sympathy are extended to his family and friends.

By the quality of our lives may we express our gratitude for his services and also bring honor to Your name.

We humbly pray. Amen.

February 7, 1991

O God, our Creator and Sustainer, we are grateful that You are near to us. As the Psalmist said that You are near to all of us who call upon You in truth. With one accord, blessed God, we acknowledge our need for greater wisdom, understanding, and patience; and we confess our limitations of information and expressions of kindness.

We are thankful that You can supply our every need as well as renew a right spirit within us.

We humbly pray. Amen.

February 11, 1991

Almighty God, we thank You for the days with our families and constituents, and a safe return to legislative work, and strength to do it. We also lift our hearts in gratitude for all persons who not only challenge and inspire us but also make our lives more interesting and enjoyable.

Cleanse our thoughts, purify our aspirations, and strengthen our wills on the side of what is right and good and against what is wrong and evil according to Your holy will.

May Your blessings attend all those persons serving in the Persian Gulf, and may Your resolution to this conflict be known, accepted, and implemented by all persons in authority.

We humbly pray. Amen.

February 12, 1991

Great God: we thank you for this land so fair and free; for its worthy aims and charities. We are grateful for people who have come to our shores, with customs and accents to enrich our lives. You have led us in the past, forgiven evil, and will lead us in time to come. Give us a voice to praise your goodness in this land.

Help us, we pray, to be that Representative, that role model, in thought, word, and conduct that reflects your love and stewardship for our lives.

We humbly pray. Amen.

February 13, 1991

God our Father: you led men and women to this land, and, our of conflict, created in us a love of peace and liberty. We have failed you by neglecting rights and restricting freedoms. Forgive pride that overlooks national wrong, or justifies injustice. Forgive divisions caused by prejudice or greed. Have mercy, O God, on the heart of this land. Make us compassionate, fair, and helpful to each other. Raise up in us a right patriotism, that sees and seeks this state and nation's good.

We humbly pray. Amen.

February 14, 1991

Our loving Father, on this Valentine Day when even those who are reticent to speak of love reach out to those who are dear to them with some expression of affection, let us remember those whom we serve with genuine caring and concern. Protect their right to pursue happiness and vouchsafe to them a reasonable hope of finding it in a state of opportunity and promise.

Glory to You for great kindness to us and all your creation.

We humbly pray. Amen.

February 18, 1991

Gracious God: by Your providence we live and work and join in families; and from Your hand receive those things we need, gift on gift,

all free. We thank You for the harvest of goodness you supply: for food and shelter, for words and gestures, for all our human friendships.

Glory to You for great kindness to us and all Your creation. May Your blessings be with those who serve in the Persian Gulf, their families, and those leaders who must make the decisions for war and peace.

We humbly pray. Amen.

February 19, 1991

Eternal God: You make all things new, and forgive old wrongs we can't forget. We confess we have spent time without loving, and years without purpose; and the calendar condemns us. Daily we have done wrong, and failed to do what You demand. Forgive the past; do not let evil cripple or shame us. Lead us into the future, free from evil, free to love, and ready to work toward the building of Your kingdom on this earth.

We humbly pray. Amen.

February 20, 1991

Almighty God: in love You spread good gifts before us, more than we need or deserve. You feed, heal, teach, and save us. We confess that we always want more; that we never share as freely as You give. We resent what we lack, and are jealous of neighbors. We misuse what You intend for joy. God, forgive our stubborn greed, and our destructiveness. In mercy, help us to take such pleasure in Your goodness that we will always be thanking You.

We humbly pray. Amen.

February 21, 1991

Gracious God, as the poet John G. Whittier phrased it,

Dear Lord and Father of mankind,
Forgive our feverish ways;
Reclothe us in our rightful mind;
In purer lives Thy Service find,
In deeper reverence, praise.

Drop Thy still dews of quietness,
Till all our strivings cease;
Take from our souls the strain and stress,
And let our ordered lives confess
The beauty of Thy peace.

Blessed God, let us ever be mindful that the Legislature has increasing responsibilities in a great growing State not only to maintain particular services and activities but to initiate new programs essential to the well-being of all ages.

May Your wisdom guide each person as well as this corporate body as we seek to be Your good stewards and express our concerns for our constituents.

Let Your blessings continue to be upon Representative Bradford V. Ligon in Rex Hospital.

We humbly pray. Amen.

February 26, 1991

Almighty God, Who hast made the world and all the people therein, and Whose concern for all of creation continues every day, we pray for Your blessings upon those who serve in the Persian Gulf during these critical and decisive days that the loss of life maybe kept to the very lowest level. Let the assurance of Your blessings be with family members and friends.

For the members of this House of Representatives, O God, we pray that the events of these days may motivate and inspire afresh each Legislator in the cooperative effort to help each person to be all that he/or she can be consistent with the wishes of the Divine Creator.

We acknowledge the homegoing of and express our gratitude for former veteran House Member CARSON W. GREGORY, and we extend our sympathy to Mrs. Gregory and the family.

We humbly pray. Amen.

February 28, 1991

Ever-present God, Who hears and answers prayers, we express our gratitude for the freedom of Kuwait, and the termination of war activities in the Persian Gulf which is the answer to many prayers. Guide and direct, we pray all those persons who have the responsibility of establishing and promoting peace and justice in this historic region.

Blessed God, may our gratitude for all Your daily blessings be reflected in the interest, dedication, and enthusiasm by which each Legislator discharges his/or her many duties and responsibilities.

We are saddened by the homegoing of EVERETT LUTZ – husband of Representative Edith L. Lutz – and we extend our sympathy and love to Edith and her family and friends.

We humbly pray. Amen.

March 4, 1991

Ever-living God, unto Whom all hearts are open, all desires known, and from Whom no secrets are hid; cleanse the thoughts of our minds by flooding them with loving kindness, compassion, and forgiveness. May the words of the poet inspire us as we continue to address the responsibilities and opportunities before us.

Drop Thy still dews of quietness,
Till all our strivings cease;
Take from our souls the strain and stress,
And let our ordered lives confess
The beauty of Thy peace.

We humbly pray for peace, good will, and love among all Your people. Amen.

March 5, 1991

O blessed God, we thank Thee that daily work is intended by Thee as a blessing and not as a burden or as a punishment. We are grateful that the nail driven straight and true, the furrow well turned, the study honestly engaged, the chore faithfully completed, the day's business properly done, all worship You in the integrity of necessary activities completed.

Guide us O God each day and accept the dedication of our hearts and the labor of our hands.

We humbly pray. Amen.

March 6, 1991

O God, into Thy hands, we commend our spirits, souls, and bodies, for Thou hast created and redeemed them. Guide us and all whom we represent this day with Thine eye, and kindle Thy light in our hearts, that Thy godly knowledge increasing in us more and more, we may always be found to walk and live after Thy will and pleasure.

We humbly pray. Amen.

March 7, 1991

Gracious God, keep us this day from the temptations of the world, the flesh, and the evil one. Help us to discern the more important matters before us and to give them full and adequate discussion and debate before providing appropriate funding.

In all our labors may we be conscious of the fact that we are accountable to You for all that we do as well as for what we should do that is yet to be done.

O God, lead, guide, and direct us as we seek to be Your faithful stewards, and thereby bring more of the better life to all the people.

For our returning servicemen and women as well as the Legislators, we pray for a safe return home.

We humbly pray. Amen.

March 11, 1991

Almighty God, Thou who are as near to us as hands and feet and breathing, we thank Thee for caring for us and for the opportunities to serve You and the people of our State.

O God, our spirits have been refreshed through the worship services back home, our patriotism has reached new heights as we shared in parades and other activities honoring our valiant service men and women. Help us to carry out and render to You the highest and best stewardship of the taxpayers monies, and therefore bring many joys and blessings to all our people.

We humbly pray. Amen.

March 12, 1991

O God, we lift our minds and hearts to You for our daily blessings in particular for health and strength, family and friends, living in a nation where we have freedoms and responsibilities, and a job which challenges our skills and provides a livelihood.

As Your stewards, O God, help us to remember that an increasing number of persons in our State do not enjoy good health, there are those who are without a job along with the street people, the urgent need for the education of our children from kindergarten through the college level, and the initiation of various alternatives to youth and adult incarceration.

Gracious God, these are not all of our needs – there are others just as important. Guide us as we prioritize our needs and let us not be afraid to fund services even if it requires a little innovation and possibly some renovation.

With Your guidance and our patient, hard work, we will succeed.

We humbly pray. Amen.

March 13, 1991

O Thou who art the life of all that lives, the strength of the weak, and the Hope of those that be cast down, inform our minds with Thy truth, we beseech Thee, and our hearts with righteousness; strengthen our wills to choose the good and to refuse the evil; help us to bear each other's burdens, to forgive one another's faults, and to forbear with every defect of judgment and of temper in those with whom we live and who daily help us.

We humbly pray. Amen.

(Professor Knight, Nineteenth Century)

March 14, 1991

Almighty God, Lord of the storm and of the calm, the vexed sea and the quiet haven, of day and night, of life and of death; grant unto us so to have our hearts stayed upon Thy faithfulness, Thine unchangingness and love, that, whatsoever betide us, however black the cloud or dark

the night, with quiet faith trusting in Thee, we may look upon Thee with untroubled eye, and walking in lowliness towards Thee, and in lovingness towards one another, abide all storms and troubles of this mortal life beseeching Thee that they may turn to the soul's true good; we ask it for Thy mercy's sake.

We humbly pray. Amen.

March 18, 1991

Almighty God, Who causest the sun and moon to shine and the rain and snow to fall upon the just and the unjust, prosper every good work undertaken by this House of Representatives according to Thy will, and give unto all of us, Thy servants, the spirit of him who came not to be ministered unto but to minister, and whose joy it was to do Thy will in helping people of all ages.

We humbly pray. Amen.

March 19, 1991

Gracious God as the recipients of numerous daily blessings, we acknowledge that we take too many of them for granted like health and strength, family and friends, and a job which challenges our skills and energies and from which we receive wages to fund our livelihood.

Help us, O God, to show our gratitude for all Your blessings by the quality of our life and the example we live before and among our fellow-men and women.

In all things help us to know Your will and grant us the courage to implement Your will, without fear or favor, for the happiness and well being of all the people.

We humbly pray. Amen.

March 20, 1991

Blessed God, on this beautiful first day of Spring, we truly confess our limitations of wisdom, understanding, and patience, and we pray that the windows of our hearts and minds will be widely opened to the sunlight of Your truth which focuses upon serving.

Lead us, we pray, to provide and support those activities and programs which enhance a better life for our people, and protect the environment in which we are privileged to live and labor.

We humbly pray. Amen.

March 21, 1991

Gracious God, who alone gavest us the breath of life, and alone canst keep alive in us the holy desires Thou dost impart; we beseech Thee,

for Thy compassion's sake, to sanctify all our thoughts and endeavors; that we may neither begin an action without a pure intention nor continue it without Thy blessing. And grant that, having the eyes of the mind opened to behold things invisible and unseen, we may in heart be inspired by Thy wisdom, and in work be upheld by Thy strength, and in the end be accepted of Thee as Thy faithful legislators.

We humbly pray. Amen.

March 25, 1991

Blessed God, unto whom all hearts are open, all desires known and from whom no secrets are hid; cleanse the thoughts of our minds by flooding them with loving kindness, compassion, and forgiveness. During this week of weeks for many believers, may the words of the poet inspire us as we continue to address the responsibilities and opportunities of the day.

Drop Thy still dews of quietness,
Till all our strivings cease;
Take from our souls the strain and stress,
And let our ordered lives confess
The beauty of Thy peace.

We humbly pray. Amen.

March 27, 1991

Gracious God, the fountain of wisdom, whose statutes are good and gracious and whose law is truth; we beseech Thee so to guide and bless this House of Representatives, that it may ordain for our governance only such things as please Thee.

We humbly pray. Amen.

March 28, 1991

O God, by whom the meek are guided in judgment, and light riseth up in darkness for the godly; Grant us, in all our doubts and uncertainties, the grace to ask what Thou wouldest have us to do, that the Spirit of wisdom may save us from all false devices, and that in Thy light we may see light, and in Thy straight path may not stumble.

We humbly pray. Amen.

April 1, 1991

O Wondrous Creator of the Universe, Sustainer of life, and Redeemer for all who truly repent, confess, and profess according to Your holy will, we thank you for the opportunity to serve You and thereby bring more of the better life to all the people of our great State.

From the blessings of worship services, being with family and friends, visiting our returnees – men and women – from the Persian Gulf, and experiencing the rebirth of new life all about us through the blooming tulips, azaleas, dogwoods, the abundance of green grass, and the ever-present pollen bring us refreshed, we pray, to resolve funding and other problems which are so vital to everyone today as well as in the future.

O God, we know that our priorities are not always Yours, but we dare to pray that those young men who represent our area on the basketball court tonight may play to their best potential, and if they are victorious, we shall be truly thankful. But in this struggle and in the conflicts within these chambers, we pray that we may accept the outcome with grace and good will and may continue to work and look to a brighter tomorrow.

We humbly pray. Amen.

April 2, 1991

O Almighty and everlasting God, vouchsafe, we beseech Thee, to direct, sanctify, and govern, both our hearts and bodies, in the ways of Thy laws, and in the works of Thy commandments; that, through Thy most mighty protection, both here and ever, we may be preserved in body and soul.

We ask Your blessings upon this House of Representatives as they go to Charlotte as guests of the Greater Charlotte Chamber of Commerce, and among other things attend a Charlotte Hornet basketball game. May this visit be enjoyable, informative and useful for each Legislator.

Thank you God, for the national recognition that has come to our State through the Duke University basketball team – NCAA Champion for 1991. We commend the team, their coaches, the University, and students. We express our gratitude for all coaches, teachers, and staff who teach our children and young people in schools, colleges, and universities. Lead, we pray, this Legislature to give proper support to education as we recall that there is no greater resource than our children and youth.

We humbly pray. Amen.

April 3, 1991

Most gracious God, You make all things new, and forgive old wrongs we can't forget. We confess we have spent time without loving, and years without purpose; and the calendar condemns us. Daily we have done wrong, and failed to do what you demand. Forgive the past; do not let evil cripple or shame us. Lead us into the future, free from evil, free to love, and ready to work toward the building of Your kingdom on this earth.

We humbly pray. Amen.

April 4, 1991

Blessed God, our Creator and Sustainer, we are grateful that You are near to us. As the Psalmist said that You are near to all of us who call upon You in truth. With one accord, blessed God, we acknowledge our need for greater wisdom, understanding, and patience; and we confess our limitations of information and expressions of kindness.

Gracious God, we are thankful that You can supply our every need as well as renew a right spirit within us. By our example we will show our gratitude for all Your daily blessings.

We humbly pray. Amen.

April 8, 1991

Almighty God, we thank You for the days with our families and constituents, and a safe return to legislative responsibilities. We lift our hearts in gratitude for all persons who not only challenge and inspire us but also make our lives more interesting, useful, and so enjoyable.

Cleanse our thoughts, purify our aspirations, and strengthen our wills on the side of what is right and good and against what is wrong and evil according to Your holy will.

We humbly pray. Amen.

April 9, 1991

Almighty God we thank You for the gift of life and the opportunities to develop to our full potential. In these difficult times we are thankful for men and women of conviction and courage who seek to lead us toward the realization of our full potential. Let us hear again the words of the late Dr. Harry Emerson Fosdick who encourages us to "Take the cloud from our vision that we may see. Give us insight to discern truth from untruth, the high from the low, the clean from the unclean, the enduring from the transient. Grant us horizon, perspective, and clarity of mind and spirit, that thy servants, bewildered and confused concerning the way they should take, may find the path made clear, thy word a lamp unto their feet."

In a world of so great beauty, hunger, uncertainty, and unemployment, guide us in all things as we seek to be Your faithful stewards striving to help all persons to know and enjoy the better life.

We humbly pray. Amen.

April 10, 1991

O blessed God, into Thy hands, we commend our spirits, souls, and bodies, for Thou hast created and redeemed them. Guide us and all whom we represent this day with Thine eye, and kindle Thy light in our

hearts, that Thy godly knowledge increasing in us more and more, we may always be found to walk and live after Thy will and pleasure.

We humbly pray. Amen.

April 15, 1991

O Thou who causeth the sun and moon to shine and the rain to fall upon the just and the unjust, we lift our hearts in gratitude for the recent showers which have nurtured our lands, the grass, new leaves, and beautiful flowers which convey new natural life which enrich our lives and remind us of our obligation to rightfully protect the natural environment.

With men and women of integrity, blessed with diverse abilities and experiences, and dedicated to resolve various problems on behalf of the people, we pray that each Legislator may have the courage to share and promote those ideas and programs which make for a better life for all the people.

O God, with Your guidance and help and our hard work, we are confident that we can move forward in many areas even in these difficult economic times.

We humbly pray. Amen.

April 16, 1991

Almighty and ever-present God, who alone gavest us the breath of life, and alone canst keep alive in us the holy desires Thou dost impart; we beseech Thee, for Thy compassion's sake, to sanctify all our thoughts and endeavors; that we may neither begin an action without a pure intention nor continue it without Thy blessing. And grant that, having the eyes of the mind opened to behold things invisible and unseen, we may in heart be inspired by Thy wisdom, and in work be upheld by Thy strength, and in the end be accepted of Thee as Thy faithful Legislators.

We acknowledge the home-going of C. T. Fussell, Jr., brother of Representative Aaron E. Fussell and we extend our love and sympathy to the family and friends.

We humbly pray. Amen.

April 19, 1991

O Thou Who art the life of all that lives, the strength of the weak, and the hope of those that be cast down, inform our minds with Thy truth, we beseech Thee, and our hearts with righteousness; strengthen our wills to choose the good and to refuse the evil; help us to bear each other's burdens, to forgive one another's faults, and to forbear with every defect of judgment and of temper in those with whom we live and who daily help us.

As we travel home to our family and return to Legislative responsibilities, help us to be alert and safe drivers as well as an example to other drivers on the highway.

We humbly pray. Amen.

April 22, 1991

Gracious God as the recipients of numerous daily blessings, we acknowledge that we take too many of them for granted like health and strength, family and friends, and a job which challenges our skills and energies and from which we receive wages to pay for our livelihood.

Help us, o God, to show our gratitude for all Your blessings by the quality of our life and the example we live before and among our fellowmen and women.

In all things help us to know Your will and grant us the courage to implement Your will, without fear or favor, for the happiness and well being of all the people.

We humbly pray. Amen.

April 23, 1991

Everliving God, Lord of the storm and of the calm, the vexed sea and the quiet haven, of day and night, of life and of death; grant unto us so to have our hearts stayed upon Thy faithfulness, Thine unchangingness and love, that, whatsoever betide us, however black the cloud or dark the night, with quiet faith trusting in Thee, we may look upon Thee with untroubled eye, and walking in lowliness towards Thee, and in lovingness towards one another, abide all storms and troubles of this mortal life beseeching Thee that they may turn to the soul's true good; we ask it for Thy mercy's sake.

We humbly pray. Amen.

April 24, 1991

Eternal God, by whom the meek are guided in judgment, and light riseth up in darkness for the godly; grant us, in all our doubts and uncertainties, the grace to ask what Thou wouldest have us to do, that the spirit of wisdom may save us from all false devices, and that in Thy light we may see light, and in Thy straight path may not stumble.

Today we salute our wonderful secretaries who not only provide valuable assistance in purely legislative matters, but also in keeping in touch with and helping constituents resolve various problems and needs.

We humbly pray. Amen.

April 25, 1991

Almighty God, keep us this day from the temptations of the world, the flesh, and the evil one. Help us to discern the more important

matters before us and to give them full and adequate discussion and debate before providing appropriate funding.

In all our labors may we be conscious of the fact that we are accountable to You for all that we do as well as for what we should do in the future.

O God, lead, guide, and direct us as we seek to be Your faithful stewards, and thereby bring more of the better life to all the people.

We humbly pray. Amen.

May 1, 1991

O Thou who art high above and yet as near as hands and feet and breathing, we thank Thee for the nurture of family, friends, and our Senior Citizens who are present today in observance of a special Senior Citizens Day and Month.

Blessed God, we are glad for the opportunity to express our deep indebtedness to our Senior Citizens, not only for what they have done for us over the years, but for what many of them are doing by staying active in the mainstream of life – some continuing their life profession, many others are faithful volunteers, and others have accepted a diversity of employment. Without a doubt our State is a much better place because of their participation and generous contributions.

Blessed God, we are thankful for the Legislature which has been a special friend of the elderly over many years. Here we recall the development of the Senior Centers across the State, the Bill of Rights for persons in nursing homes, and the formation of County Councils of Volunteers – whose purpose is to work for better services and activities for the elderly. It is from the Federal Older Americans Act of 1965 and amendments, and State funds that the Division of Aging, the Councils of Governments, and the area Agencies on Aging provide thousands of older persons a nutritious meal as well as a variety of social services which sustains and enriches their quality of life substantially.

With God's guidance and the ongoing help of our Senior Citizens and others, and with continued "hard work" by the Legislature, we are confident that the current budget crisis can be resolved and a better life may be realized for all ages.

We humbly pray. Amen.

May 2, 1991

Blessed God, these are truly times which test the souls of men and women like Legislators, which cause persons of low income to do without additional things they need, which cause persons of other economic means to re-evaluate their needs priority, and which causes all of us to answer basic questions such as – 1. If we provide a mediocre education to our children and young people today, what dividends can we expect

tomorrow? and 2. If we furlough employees today, how will they pay their mortgage payments, automobile payments, credit cards, and provide for their daily livelihood which may include their tithes and gifts to God?

O God, we do not have simple answers to these complex problems, but we worship one who does have the right solutions to these and all problems. Enable us, we pray, to have the courage to ask for Your guidance, and courage to implement it without fear or favor. What a blessing it will be to us and all our people as we re-affirm the tradition of good government in North Carolina.

We humbly pray. Amen.

May 3, 1991

Almighty God, in love You spread good gifts before us, more than we need or deserve. You feed, heal, teach, and save us. We confess that we always want more; that we never share as freely as You give. We resent what we lack, and are jealous of neighbors. We misuse what You intend for joy. God, forgive our stubborn greed, and our destructiveness. In mercy, help us to take such pleasure in Your goodness that we will always be thanking you.

Help us to be alert and safe drivers as we journey to and from our homes.

We humbly pray. Amen.

May 6, 1991

Almighty God, we thank You for the days with our families and constituents, and a safe return to legislative responsibilities. We lift our hearts in gratitude for all persons who not only challenge and inspire us but also make our lives more interesting, useful, and enjoyable.

Cleanse our thoughts, purify our aspirations, and strengthen our wills on the side of what is right and good and against what is wrong and evil according to your holy will.

We humbly pray. Amen.

May 7, 1991

O God of love and compassion, We recall that You have not promised us a bed of roses in the daily discharge of our duties and responsibilities, but we have the assurance of your presence, your tender, loving care with us during every circumstance of life.

So, we pray that we may know Your will each day and have the courage to implement it for the benefit of our people and our personal growth in public service.

Let the obstacles and discouragements of these difficult times be viewed as challenges, and with Your guidance and assistance, we will overcome with patience and perseverance.

We are grateful for Your healing powers that have attended President George Bush and Representative John Kerr, and we pray that Your healing powers will attend all those who are in need.

We humbly pray. Amen.

May 8, 1991

Eternal God, Who art the Author and Giver of law, from Whom alone all just designs and righteous judgments proceed, give unto all of those who frame, interpret, or administer human law the counsel of Thy Holy Spirit, that they may know themselves Thy ministers. May they neither be influenced by prejudices nor may they appeal to the weaknesses of others; but that they may deal fairly and counsel wisely in all matters; to be the servants of all people, but the hirelings of none, and thus enhance the coming of the kingdom on earth.

Belatedly, O God, we acknowledge the homegoing of Garnet Greenwood, 27 April 1991, beloved spouse of Representative Gordon H. Greenwood. We give thanks for her many contributions and extend our love and prayers to the family and friends.

We humbly pray. Amen.

May 9, 1991

Blessed God, our Creator and Sustainer, we are grateful that You are near to us. As the Psalmist said that You are near to all of us who call upon You in truth. With one accord, blessed God, we acknowledge our need for greater wisdom, understanding, and patience; and we confess our limitations of information and expressions of kindness.

Gracious God, we are thankful that You can supply our every need as well as renew a right spirit within us. Let us not forget that we show our gratitude for all Your daily blessings by the quality of life we live before and among our fellow Legislators.

We humbly pray. Amen.

May 10, 1991

O blessed God, the nights seem to get shorter and the days are different nevertheless into thy hands we commend our spirits, souls, and bodies, for Thou hast created and redeemed them. Guide us and all whom we represent this day with Thine eye, and kindle Thy light in our hearts, that Thy godly knowledge increasing in us more and more, we may always be found to walk and live after Thy will and pleasure.

As we journey to our homes, help us to be alert and safe drivers.
We humbly pray. Amen.

May 13, 1991

O Thou Who art near to us as hands and feet and breathing and watches and cares for us every minute of each day, we thank You for Your innumerable kindnesses and Your daily loving care.

Truly, we have not always followed your leadership, and thus our stewardship of time, talents, and abilities have not been as fruitful and prosperous as possible. Forgive us for not seeking Your guidance and wisdom on an ongoing basis.

Prosper, O God, every good work undertaken by this House of Representatives according to Thy will, and give unto each member the spirit of Him who came not to be ministered unto but to minister, and whose joy it was to do Thy will in helping people of all ages.

In our daily labors help us to remember and to be grateful for the secretaries, clerks, and all other support staff who facilitate the important work of this great legislative body.

We humbly pray. Amen.

May 14, 1991

Almighty God, by whom the meek are guided in judgment, and light riseth up in darkness for the godly; grant us, in all our doubts and uncertainties, the grace to ask what Thou wouldest have us to do, that the Spirit of wisdom may save us from all false devices, and that in Thy light we may see light, and in Thy straight path may not stumble.

We humbly pray. Amen.

May 15, 1991

O Thou who art the life of all the lives, the strength of the weak, and the hope of those that be cast down, inform our minds with Thy truth, we beseech Thee, and our hearts with righteousness; strengthen our wills to choose the good and to refuse the evil; help us to bear each other's burdens, to forgive one another's faults, and to forbear with every defect of judgment and of temper in those with whom we live and who daily help us.

We humbly pray. Amen.

May 16, 1991

O Thou who art the God of Abraham, Isaac, Jacob, Joseph, and the Lord Jesus, we lift our hearts to Thee in gratitude for the rich heritage of North Carolina and the United States of America.

With the leadership, abilities, experience, dedication, and determination of these outstanding elected Representatives, along with Your inspiration and guidance, and strength, we are confident that great blessings shall continue to be a reality to all the people.

In the words of the hymn-writer, "Lead on O King Eternal."

We humbly pray. Amen.

May 20, 1991

Almighty God, we thank You for our restful and enjoyable weekend with family and friends and the renewal of our spirits through worship services. We also are grateful for a safe trip back to legislative responsibilities and the generous rains which were greatly needed by many communities.

Guide us, we pray, that we may creatively discuss and debate the issues and cast our vote remembering our constituents and above all our accountability and responsibility to You.

We humbly pray. Amen.

May 21, 1991

Most gracious God, the fountain of wisdom, whose statutes are good and gracious and whose law is truth; we beseech Thee so to guide and bless this House of Representatives, that it may ordain for our governance only such things as please Thee.

We humbly pray. Amen.

May 30, 1991

Blessed God, by whom the meek are guided in judgment, and light riseth up in darkness for the godly; grant us, in all our doubts and uncertainties, the grace to ask what Thou wouldst have us to do, that the Spirit of Wisdom may save us from all false devices, and that in Thy light we may see light, and in Thy straight path may not stumble.

We humbly pray. Amen.

May 31, 1991

Eternal God, unto whom all hearts are open, all desires know, and from whom no secrets are hid; cleanse the thoughts of our minds by flooding them with loving-kindness, compassion, and forgiveness. May this hard working House of Representatives have the physical stamina, as well as the wisdom and courage necessary to make the hard decisions - particularly required by a balanced budget.

O God, the days are long and filled with numerous meetings and the time for rest and relaxation seems to get shorter and shorter, nevertheless, with Your help we will continue to move forward in meeting legislative responsibilities.

We humbly pray. Amen.

June 3, 1991

O Sovereign spirit of the universe, supreme in power, ineffable in majesty, Thou only true God of all creation, this is the first day of a very special week wherein significant decisions and the passage of major legislation will directly impact upon the lives of persons of all ages as well as upon the family, schools, colleges, universities, health and welfare services, and protection of the environment. Things will not be the same; they can be better!

Re-kindle, we pray, the commitments each legislator has made to You and their constituents, and provide each member the wisdom and courage needed for these days to be a steward who pleases You, brings blessings to the people, and personally experiences the good feeling and joy of a job well done even under difficult and trying circumstances.

We humbly pray. Amen.

June 5, 1991

Eternal God, who causes the sun and moon to shine and the rain and snow to fall upon the just and the unjust, prosper every good work undertaken by this House of Representatives according to Thy will, and give unto all of us, Thy servants, the spirit of Him who came not to be ministered unto but to minister, and whose joy it was to do Thy will in helping people of all ages.

We humbly pray. Amen.

June 6, 1991

Blessed God, our Creator and Sustainer, we are grateful that You are near to us. As the Psalmist said that You are near to all of us who call upon You in truth, with one accord, blessed God, we acknowledge our need for greater wisdom, understanding, and patience; and we confess our limitations of information and expressions of kindness.

Gracious God, we are thankful that You can supply our every need as well as renew a right spirit within us. Let us not forget that we show our gratitude for all Your daily blessings by the quality of life we live before and among our fellow Legislators.

We humbly pray. Amen.

June 7, 1991

Wonderful Creator and Provider, we lift our hearts in deep gratitude to Thee for the high regard which each Representative holds each

other, for the many long days of strenuous committee meetings, for the informative and stimulating debates, and for the meaningful accomplishments of this House of Representatives during a stressful, far-reaching, economic recession.

Thou knowest, O God, the duties that lie before us this day, the dangers that may confront us, and the temptations which most beset us. Guide us – strengthen us – protect us. Give us Thy power that we may become a power for righteousness among those with whom we come in contact, and help us to have more and more of Your love and the courage to share it with all others.

We humbly pray. Amen.

June 10, 1991

Ever-present God, we thank You for the days with our families and constituents, and a safe return to legislative responsibilities and strength to implement them. We also lift our hearts in gratitude for all persons who not only challenge and inspire us but also make our lives more interesting and enjoyable.

Cleanse our thoughts, purify our aspirations, and strengthen our wills on the side of what is right and good and against what is wrong and evil according to Your holy will.

We humbly pray. Amen.

June 11, 1991

Most gracious God, You make all things new and forgive old wrongs we can't forget. We confess we have spent time without loving, and time without purpose; and the calendar condemns us. Daily we have done wrong, and failed to do what You demand. Forgive the past; do not let evil cripple or shame us. Lead us into the building of Your kingdom on this earth.

We humbly pray. Amen.

June 12, 1991

O God, our Creator and Sustainer, we are grateful that You are near to us. As the Psalmist said that You are near to all of us who call upon You in truth. With one accord, blessed God, we acknowledge our need for greater wisdom, understanding, and patience; and we confess our limitations of information and expressions of kindness.

We are thankful that You can supply our every need as well as renew a right spirit within us.

For the rain showers earlier in the day and those showers anticipated in the near future, we are thankful.

We humbly pray. Amen.

June 13, 1991

Eternal and everliving God, vouchsafe, we beseech Thee, to direct, sanctify, and govern, both our hearts and bodies, in the ways of Thy laws, and in the works of Thy commandments; that, through Thy most mighty protection, both here and ever, we may be preserved in body and soul.

For all the evidence of Your guidance and wisdom in this Session to date and the assurance that the same and more is available to everyone who calls upon You in truth, we give Thee thanks.

We humbly pray. Amen.

June 17, 1991

Ever-present God, our Creator, Sustainer, and Redeemer, we give Thee thanks for bringing us to this day and this special week relative to legislative responsibilities. The light at the far end of the tunnel becomes brighter as the Joint-Committee on the Budget continues their labors; and may they and all members of this House not grow weary in carrying out all their duties but rejoice in leading this great State forward in serving all the people and rendering a worthy stewardship to Thee for so great blessings.

We humbly pray. Amen.

June 20, 1991

Eternal God, Who causeth the sun and moon to shine and the rain and snow to fall upon the just and the unjust, prosper every good work undertaken by this House of Representatives according to Thy Will, and give unto all of us, Thy servants, the spirit of Him who came not to be ministered unto but to minister, and whose joy it was to do Thy will in helping people of all ages.

We humbly pray. Amen.

June 21, 1991

O blessed God, we thank Thee that daily work is intended by Thee as a blessing and not as a burden or as a punishment. We are grateful that the nail driven straight and true, the furrow well turned, the study honestly engaged, the chore faithfully completed, the day's business properly done, all worship You in the integrity of necessary activities completed.

O God, guide us each day and accept the dedication of our hearts and the labors of our minds and our hands.

We humbly pray. Amen.

June 24, 1991

Ever-present God, our Creator, Sustainer, and Redeemer, we give Thee thanks for bringing us to this day and this special week relative to

legislative responsibilities. The light at the far end of the tunnel becomes brighter as the Joint-Committee on the Budget continues their labors; and may they and all members of this House not grow weary in carrying out all their duties but rejoice in leading this great State forward in serving all the people and rendering a worthy stewardship to Thee for so great blessings.

We humbly pray. Amen.

June 25, 1991

Great God, we thank You for this land so fair and free; for its worthy aims and charities. We are grateful for people who have come to our shores, with customs and accents to enrich our lives. You have led us in the past, forgiven evil, and will lead us in time to come. Give us a voice to praise Your goodness in this land.

Help us, we pray, to be that Representative, that role model, in thought, word, and conduct that reflects Your love and stewardship for our lives and brings blessings to all the people.

We humbly pray. Amen.

June 26, 1991

Eternal God, our Creator and Sustainer, we are grateful that You are near to us. As the Psalmist said that You are near to all of us who call upon You in truth. With one accord, blessed God, we acknowledge our need for greater wisdom, understanding, and patience; and we confess our limitations of information and expressions of kindness.

Most gracious God, we are thankful that You can supply our every need as well as renew a right spirit within us. Let us not forget that we show our gratitude for all Your daily blessings by the quality of life we live before and among our fellow Legislators.

We humbly pray. Amen.

June 27, 1991

Blessed Creator and Provider, we lift our hearts in deep gratitude to Thee for the high regard which each Representative holds each other, for the many long days of strenuous committee meetings, for the informative and stimulating debates, and for the meaningful accomplishments of this House of Representatives during a stressful, far-reaching, economic recession.

Thou knowest, O God, the duties that lie before us this day, the dangers that may confront us, and the temptations which most beset us. Guide us, strengthen us, and protect us. Give us Thy power that we may become a power for righteousness among those with whom we come in contact, and help us to have more and more of Your love and the courage to share it with all others.

We humbly pray. Amen.

June 28, 1991

Eternal God, by Whom the meek are guided in judgment, and light riseth up in darkness for the godly; grant us, in all our doubts and uncertainties, the grace to ask what thou wouldest have us to do, that the Spirit of Wisdom may save us from all false devices, and that in Thy light we may see light, and in Thy straight path may not stumble.

Bless all the planned activities this week-end designed to honor troops who serve in the Persian Gulf – “Desert Storm”, and help us to double our efforts to promote peace on earth and good will among all persons.

As we travel to our homes, O God, may we be alert and drive safely.

We humbly pray. Amen.

July 1, 1991

Almighty God, Thou Who are as near to us as hands and feet and breathing, we thank You for caring for us and for the opportunities to serve You and the people of our State.

O God, our spirits have been refreshed through the worship services back home, our patriotism has reached new heights as we shared in parades and other state-wide activities honoring our valiant service men and women who participated in “Desert Storm”.

Help us to carve out and render to You the highest and best stewardship of the taxpayers monies, and therefore bring many joys and blessings to all our people.

We humbly pray. Amen.

July 2, 1991

Blessed God, as the poet John G. Whittier phrased it,

Dear Lord and Father of mankind, Forgive our feverish ways;
Reclothe us in our rightful mind; In purer lives Thy Service find,
In deeper reverence, praise.

Drop Thy still dews of quietness, Till all our strivings cease;
Take from our souls the strain and stress, And let our ordered lives
confess

Thy beauty of Thy peace.

Blessed God, let us ever be mindful that the Legislature has increasing responsibilities in a great growing State not only to maintain particular services and activities but to initiate new programs that we can afford essential to the well being of all ages.

May Your wisdom guide each person as well as this corporate body.

We humbly pray. Amen.

July 3, 1991

O God, into Thy hands, we commend our spirits, souls, and bodies, for Thou hast created and redeemed them. Guide us and all whom we represent this day with Thine eye, and kindle Thy light in our hearts, that Thy godly knowledge increasing in us more and more, we may always be found to walk and live after Thy will and pleasure.

O God, as we approach our National Independence Day, let us remember the Thirteen Original Colonies which were granted independence from the British, and may their long labors, problems, and difficult times inspire us to be the best Representative for You and the people that we can be.

We humbly pray. Amen.

July 4, 1991

O Thou Who are the God of Abraham, Issac, Jacob, Joseph, and the Lord Jesus, on this National Independence Day, we recall that You led men and women to this land, and, out of conflict, created in us a love of peace and liberty. We have failed You by neglecting rights and restricting freedoms. Forgive pride that overlooks national wrong, or justifies injustice. Forgive divisions caused by prejudice or greed. Have mercy, O God, on the heart of this land. Make us compassionate, fair, and helpful to each other. Raise up in us a right patriotism, that sees and seeks this State and Nation's good.

We humbly pray. Amen.

July 8, 1991

Gracious God, we thank You for a safe journey to and from our homes and back to legislative responsibilities. Our capacities for patriotism have been filled, in some cases it may have over-flowed, and now it is time to get back in the trenches of acting upon pressing legislative responsibilities.

Blessed God, as the recipients of numerous daily blessings we acknowledge that we take too many of them for granted like health and strength, family and friends, and a job which challenges our skills and energies and from which we receive wages to fund our livelihood.

Help us, O God, to show our gratitude for all Your blessings by the quality of our life and example we live before and among our fellowmen and women.

In all things help us to know Your Will and grant us the courage to implement Your Will, without fear or favor, for the happiness and well being of all the people.

We humbly pray. Amen.

July 9, 1991

Eternal God, keep us this day from the temptations of the world, the flesh, and the evil one. Help us to discern the more important matters

before us and to give them full and adequate discussion and debate before providing appropriate funding.

In all our labors may we be conscious of the fact that we are accountable to you for all that we do as well as for what we should do that is yet to be done.

O God, lead, guide, and direct us as we seek to be your faithful stewards, and thereby bring more of the better life to all the people.

We humbly pray. Amen.

July 12, 1991

Eternal and ever-blessed God, vouchsafe, we beseech Thee, to direct, sanctify, and govern, both our hearts and bodies, in the ways of Thy laws, and in the works of Thy commandments; that, through Thy most mighty protection, both here and ever, we may be preserved in body and soul.

We humbly pray. Amen.

July 13, 1991

Ever-living God, Who causest the sun and moon to shine and the rain and snow to fall upon the just and the unjust, prosper every good work undertaken by this House of Representatives according to Thy Will, and give unto all of us, Thy servants, the spirit of Him Who came not to be ministered unto but to minister, and whose joy it was to do Thy Will in helping people of all ages.

As we travel to and from our homes, help us to be alert and safe drivers.

We humbly pray. Amen.

July 15, 1991

O God, Who rulest over Thy people with Fatherly love, continue and increase the Spirit of concern, care, and wisdom to all who have received from Thee and the people authority of government. We are in the "people business" to help each person be all he or she can be, according to Your holy will, and at the same time we are charged with being good stewards of the peoples' trust.

We give thanks, O God, for each member of this august body, all the Committee Chairpersons and members, the Speaker and his patient and persevering leadership, and all the support staff which makes things work.

As we see numerous services provided in our communities, we can be thankful. Whereas, we may also see former state employees joining those unemployed from the private sector, this is just one reminder of

the challenge to work for meaningful employment for each person. Under Your guidance and our ongoing cooperation and hard work, we will make progress towards the accomplishment of that challenge.

We humbly pray. Amen.

July 16, 1991

This is the day which the Lord hath made. Let us rejoice and be glad.

Gracious God, Who alone gavest us the breath of life, and alone canst keep alive in us the holy desires Thou dost impart; we beseech Thee, for Thy compassion's sake, to sanctify all our thoughts and endeavors; that we may neither begin in action without a pure intention nor continue it without Thy blessing. And grant that, having the eyes of the mind opened to behold things invisible and unseen, we may in heart be inspired by Thy wisdom, and in work be upheld by Thy strength, and in the end be accepted of Thee as Thy faithful Legislators.

We humbly pray. Amen.

INDEX
HOUSE JOURNAL
FIRST SESSION
1991

INDEX GUIDE

Following each bill title, the last action or present status of said bill is indicated. For example, a bill ratified will be followed by its chapter number in the Session Laws. If the bill remains in committee, the name of the committee is so noted. If the bill has passed the House and been sent to the Senate, this is indicated by the word "Senate". If a bill has an identical Senate or House bill, that identical bill number appears in parentheses preceded by "H" or "S".

All bills dealing with funds are indexed under Appropriations Public and Appropriations Local. All local non-appropriation bills are indexed under individual counties.

The following is a guide to committee abbreviations:

APPROP	APPROPRIATIONS
APP-EDUC	APPROPRIATIONS--EDUCATION
APP-GGOV	APPROPRIATIONS--GENERAL GOVERNMENT
APP-HRES	APPROPRIATIONS--HUMAN RESOURCES
APP-JPS	APPROPRIATIONS--JUSTICE & PUBLIC SAFETY
APP-EHNR	APPROPRIATIONS--ENVIRONMENT, HEALTH & NATURAL RESOURCES
APP-TRAN	APPROPRIATIONS--TRANSPORTATION
AGRICULT	AGRICULTURE
AGR-AQUA	AGRICULTURE--AQUACULTURE & MARINE FISHERIES
AGR-FOR&	AGRICULTURE--FORESTRY, HORTICULTURE & WILDLIFE
AGR-CROP	AGRICULTURE--CROPS & ANIMAL HUSBANDRY
COMMERCE	COMMERCE
COM-FINA	COMMERCE--FINANCIAL INSTITUTIONS
COM-INSU	COMMERCE--INSURANCE
COM-HOUS	COMMERCE--HOUSING
CONGREDI	CONGRESSIONAL REDISTRICTING
COURTS&	COURTS, JUSTICE, CONST. AMENDMENTS & REFERENDA
ECONEXPA	ECONOMIC EXPANSION
ECO-TRA&	ECONOMIC EXPANSION--TRAVEL, TOURISM & ECONOMIC DEVELOPMENT
ECO-LBR&	ECONOMIC EXPANSION--LABOR RELATIONS & EMPLOYMENT
ECO-SMBU	ECONOMIC EXPANSION--SMALL BUSINESS
EDUCATN	EDUCATION
ED-COMM	EDUCATION--COMMUNITY COLLEGES
ED-PRE&	EDUCATION--PRE-SCHOOL, ELEMENTARY & SECONDARY EDUCATION
ED-UNIV&	EDUCATION--UNIVERSITY EDUCATION & AFFAIRS
ENVIRONM	ENVIRONMENT
ENV-SOLI	ENVIRONMENT--SOLID WASTE
ENV-WAT&	ENVIRONMENT--WATER, AIR & SOIL
ENV-HAZA	ENVIRONMENT--HAZARDOUS WASTE

ETHICS

FINANCE
FIN-LOC&FIN-STAT
FIN-W&MHUMRES
HUM-AG'G
HUM-HLT&

HUM-CHL&

JUDICI
JUDICII
JUDICIII

LEGIREDI

LOC&RGI
LOC&RGII

PENS&RET

PUBEMP

PUBUTILS

RULES&

SCI&TECH

STATGOVT

SG-BRDS&
SG-STPK&

SG-MIL&

TRANSPOR
TRAN-HWY
TRAN-PUB
TRAN-AIR

ETHICS

FINANCE
FINANCE--LOCAL & REGIONAL GOVERNMENT
REVENUEFINANCE--STATE REVENUE
FINANCE--WAYS & MEANSHUMAN RESOURCES
HUMAN RESOURCES--AGING
HUMAN RESOURCES--HEALTH & MENTAL
HEALTH
HUMAN RESOURCES--CHILDREN, YOUTH &
FAMILIESJUDICIARY I
JUDICIARY II
JUDICIARY III

LEGISLATIVE & LOCAL REDISTRICTING

LOCAL & REGIONAL GOVERNMENT I
LOCAL & REGIONAL GOVERNMENT II

PENSIONS & RETIREMENT

PUBLIC EMPLOYEES

PUBLIC UTILITIES

RULES, APPOINTMENTS & CALENDAR

SCIENCE & TECHNOLOGY

STATE GOVERNMENT

STATE GOVERNMENT--BOARDS & COMMISSIONS
STATE GOVERNMENT--STATE PARKS, FACILITIES
AND PROPERTY
STATE GOVERNMENT--MILITARY, VETERANS &
INDIAN AFFAIRSTRANSPORTATION
TRANSPORTATION--HIGHWAYS
TRANSPORTATION--PUBLIC TRANSPORTATION
TRANSPORTATION--AIRPORTS, RAILWAYS &
WATERWAYS

NUMERICAL INDEX

BILLS/RESOLUTIONS

PAGE NUMBERS

H 1	SUPPORT MILITARY TROOPS-2 (RATIFIED RES.02) ...	41, 53.
H 2	EDUCATION IMPROVEMENT ACT (RE-REF COM ON APPROP) (S 199)	42, 284, 704, 713.
H 3	GUBERNATORIAL VETO-1 (REF TO COM ON COURTS&) (S 156)	42.
H 4	SAMPSON GAS LINES (RATIFIED CH.0013) .	42, 131, 138, 168.
H 5	RAISE MINIMUM WAGE (RATIFIED CH.0270) ..	46, 85, 162, 367, 437, 474,507, 521, 848.
H 6	OPEN GOV'T COMM'N APPOINTMENTS (RATIFIED CH.0755)	46, 590, 647, 668, 1254.
H 7	CONTINUE REVENUE LAW STUDY (RE-REF COM ON APPROP)	46, 85.
H 8	HIGHWAY TRUST FUND TECH. CHANGES (RATIFIED CH.0193)	46, 85, 135, 143, 148, 428,441, 477, 555, 571, 759, 769,783.
H 9	VEHICLE SALES TAX AMENDMENTS (RATIFIED CH.0079) ..	46, 85, 104, 188, 253, 270,281, 300, 551.
H 10	HIGHWAY USE TAX TRANSITION (RATIFIED CH.0046)	46, 85, 104, 188, 236, 247,256, 383.
H 11	SCRAP TIRE TAX AMENDMENTS (RATIFIED CH.0221)	46, 85, 135, 153, 161, 171,178, 801.
H 12	UPDATE I.R.C. REFERENCE (Senate)	47, 86, 112, 115, 123.
H 13	FRANCHISE TAX AMENDMENTS (RATIFIED CH.0030)	47, 86, 120, 130, 134, 226.
H 14	GA OPEN MEETINGS (RATIFIED CH.0694)	47, 86, 660, 686, 1183, 1199,1210.
H 15	STATE LOTTERY REFERENDUM-1 (RE-REF COM ON FINANCE) (S 2)	47, 86, 903, 1000.
H 16	WHITEVILLE SCHOOL BOARD (RATIFIED CH.0001) ...	47, 53.
H 17	COUNTY CLEAN-UP FUNDS (RE-REF COM ON APPROP) (S 14)	47, 86.
H 18	LOCAL HEALTH BOARD RULES (RATIFIED CH.0650) 48, 86, 109, 236, 510, 563,1138, 1154, 1174.	
H 19	DRIVER LICENSE EXEMPTIONS (Senate) (S 20)	51, 86, 139, 154.
H 20	MOTOR VEHICLE PROPERTY TAX (RATIFIED CH.0624) ...	51, 87, 150, 179, 185, 1099,1117, 1128.
H 21	STATE LOTTERY REFERENDUM-2 (REF TO COM ON COURTS&)	53.
H 22	REGULATE REVERSE MORTGAGES (RATIFIED CH.0546) 54, 189, 511, 585, 885, 926,932, 947, 1090.	
H 23	FUEL TAX CHANGES (RATIFIED CH.0487) 54, 79, 410, 477, 517, 534,1001, 1026, 1046.	
H 24	REVENUE DEPARTMENT REPORTS (RATIFIED CH.0010)	54, 78, 92, 96, 152.
H 25	EMC COMMUNITY SERVICE PROGRAM (Senate)	54, 98, 271, 313, 341, 377,381, 479, 520, 522, 529, 547,618.
H 26	REHABILITATION FACILITIES FUNDS (RE-REF COM ON APPROP) (S 45)	55, 87.
H 27	PAID FIREMEN PENSION BENEFITS (RE-REF COM ON APPROP) (S 22)	55, 87, 232.
H 28	FIRE PENSION CONTRIBUTIONS (RE-REF COM ON PENS&RET) (S 28)	55, 87.

H 29	FIRE PENSION BENEFITS INCREASED (RE-REF COM ON APPROP) (S 21)	55, 87, 232.
H 30	MODIFY FIRE RELIEF FUNDS (RE-REF COM ON APPROP) (S 26)	55, 87, 338, 425.
H 31	FIREMEN DISABILITY PAYMENTS (RE-REF COM ON APPROP) (S 27)	55, 87, 258, 778, 852.
H 32	ELECTION DAY TRANSFER SIMPLIFIED (RATIFIED CH.0012)	56, 87, 111, 116, 159.
H 33	CREDIT REPAIR ACT (RATIFIED CH.0327) ..	56, 88, 237, 367, 458, 507,872, 890, 906.
H 34	DEBT COLLECTION PENALTY INCREASED (RATIFIED CH.0068)	60, 128, 134, 138, 225, 445,468, 481.
H 35	ATTORNEY FEES, NEW HOMES (REF TO COM ON JUDICI)	60.
H 36	CONSTRUCTION AUDIT FOLLOW-UP (Senate)	60, 249, 285, 486, 520.
H 37	HOMEOWNERS RECOVERY FUND (RATIFIED CH.0547)	60, 249, 285, 486, 586, 635,660, 1041, 1068, 1090.
H 38	CONTRACTORS REVIEW COMMITTEE (RATIFIED CH.0124)	61, 487, 523, 737.
H 39	BURLINGTON/ALAMANCE SCHOOL LINES (REF TO COM ON LOC&RGII)	61.
H 40	ELECTION DAY TRANSFER SUNSET OFF (REF TO COM ON JUDICI)	61.
H 41	CONTRACTOR LICENSE LIMITS (REF TO COM ON STATGOVT)	61.
H 42	STATE FACILITY ASSESSMENT FUNDS (REF TO COM ON APPROP) (S 54)	61.
H 43	REPAIR BUDGET ITEM (REF TO COM ON APPROP) (S 53) .	61.
H 44	SPEAKER TERMS LIMIT (REF TO COM ON COURTS&)	61.
H 45	REPEAL GUBERNATORIAL SUCCESSION (REF TO COM ON COURTS&)	61.
H 46	SPECIAL FUELS LICENSE EXEMPTION (RATIFIED CH.0441)	62, 765, 784, 793, 953, 968,986, 1006.
H 47	SCHOOL DISCIPLINE BY PARENT (Senate)	62, 317, 641, 664, 667, 708.
H 48	AMBER LIGHTS FOR REACT VEHICLES (RATIFIED CH.0044) (S 47)	62, 112, 123, 367.
H 49	ECU NURSE MIDWIFERY FUNDS (REF TO COM ON APPROP)	62.
H 50	PROPERTY TAX TECHNICAL CHANGES (RATIFIED CH.0011)	62, 79, 93, 152.
H 51	REVISE PROPERTY TAX COMM'N LAW (RATIFIED CH.0110)	62, 145, 171, 729.
H 52	FOREIGN CREDIT UNION ACT (RATIFIED CH.0271)	62, 189, 323, 344, 848.
H 53	ASSUMPTION FEE CHANGES (REPTD UNFAV)	63, 261, 582, 624.
H 54	CREDIT UNION TECHNICAL AMENDMENTS (RATIFIED CH.0651)	63, 189, 323, 492, 518, 526,578, 613, 1001, 1026, 1039, 1136, 1139,1174.
H 55	MORTGAGE BANKER/BROKER PROVISIONS (RE-REF COM ON FINANCE)	63, 261, 1082.
H 56	INDUSTRIAL ECON.DEV. FUNDS (REF TO COM ON APPROP)	64.
H 57	RAILROAD ADVISORY COMMISSION (RE-REF COM ON RULES&) (S 86)	64, 249, 438, 587, 647, 661,1184.

H 58	PEARL HARBOR DAY (RATIFIED CH.0175)	64, 251, 306, 342, 771.
H 59	MAKE CLOGGING STATE DANCE (REF TO COM ON RULES&) (S 82)	65.
H 60	HAZARDOUS WASTE COMM. REPEALED (ASSIGNED TO ENV-HAZA)	65, 98.
H 61	REVENUE LAWS TECHNICAL CHANGES (RATIFIED CH.0045)	65, 135, 143, 148, 338, 362,367.
H 62	LEGISLATORS FOUR-YEAR TERM (REPTD UNFAV) ..	65, 526.
H 63	BURKE/RANDOLPH/SAMPSON PRIVATE ROADS (RATIFIED CH.0009) (S 63)	66, 97, 106, 110, 113, 144.
H 64	SIMPLIFY SPECIAL PLATE STATUTES (RATIFIED CH.0672) (S 40)	66, 150, 180, 745, 749, 760,774, 1002, 1027, 1040, 1163, 1177, 1178,1194.
H 65	HONORING CAMPBELL FOLK SCHOOL (Senate) ..	66, 558, 598.
H 66	GREENSBORO OCCUPANCY TAX (POSTPONED INDEFINITELY) (S 56)	66, 477.
H 67	VETO, GUBERNATORIAL SUCCESSION (REF TO COM ON COURTS&)	66.
H 68	COMMUNITY FOUNDATION ENDOWMENTS (RATIFIED CH.0039)	66, 111, 116, 319.
H 69	FIRE/RESCUE PERMANENT PLATES (ASSIGNED TO TRAN-HWY)	67, 95, 495.
H 70	SUPPLEMENTAL PAY FOR MILITARY-1 (RE-REF COM ON APPROP)	67, 366.
H 71	UNC GERONTOLOGY FUNDS (REF TO COM ON APPROP) ..	67.
H 72	IN-HOME FUNDS (REF TO COM ON APPROP) (S 76)	67.
H 73	LONG-TERM CARE OMBUDSMAN FUNDS (REF TO COM ON APPROP) (S 77)	68.
H 74	TRANSPORTATION ASSISTANCE FUNDS (REF TO COM ON APPROP) (S 78)	68.
H 75	ALZHEIMER'S SPECIAL CARE UNITS (RATIFIED CH.0222) (S 81)	68, 109, 145, 154, 801.
H 76	GREENSBORO CHARTER AMENDMENTS (RATIFIED CH.0004)	68, 97, 107, 127.
H 77	SUP'T CHAIR STATE EDUC.BOARD-2 (RE-REF COM ON APPROP)	70, 592, 635, 661, 701.
H 78	CLARIFY FUNERAL BENEFITS (RATIFIED CH.0062)	71, 112, 116, 123, 451.
H 79	SIMPLIFY SOFT DRINK TAX (ASSIGNED TO FIN-STAT)	71, 146.
H 80	TRANSIT AUTHORITY TAX (RATIFIED CH.0666) (S 99)	71, 460, 526, 556, 576, 1113,1127, 1148, 1165, 1193.
H 81	PUBLIC TRANSIT PARKING TAX (REF TO COM ON TRANSPOR) (S 98)	71.
H 82	AMEND BEDDING SANITATION LAW (RATIFIED CH.0223)	71, 110, 237, 431, 447, 489,801.
H 83	1991-93 APPROPRIATIONS ACT (RATIFIED CH.0689) (S 88)	71, 794, 807, 818, 822, 864,868, 870, 1063, 1111, 1160, 1172, 1195, 1196,1199.
H 84	CURRITUCK TAX SUNSET REMOVED (RATIFIED CH.0047)	71, 94, 155, 168, 176, 384.
H 85	CURRITUCK NOISE DISTRICTS (RATIFIED CH.0005)	71, 94, 102, 127.
H 86	SOLID WASTE FEES (RATIFIED CH.0652)	72, 94, 283, 581, 844, 874,896, 910, 1126, 1148, 1174.

H 87	ELECT GOVERNOR EVEN-NUMBER YEAR-1 (RE-REF COM ON APPROP)	72, 345, 377, 472.
H 88	LAURINBURG ZONING NOTICES (RATIFIED CH.0006)	72, 94, 101, 127.
H 89	LOBBYIST REGULATIONS REVISED (RATIFIED CH.0740)	72, 476, 557, 581, 621, 644, 1205, 1220, 1223, 1237.
H 90	YOUTH SUICIDE PREVENTION FUNDS (REF TO COM ON APPROP) (S 19)	72.
H 91	DOMESTIC VIOLENCE FUNDS (REF TO COM ON APPROP) (S 18)	72.
H 92	SCHOOL MANAGEMENT ACCOUNTABILITY (RE-REF COM ON APPROP) (S 29)	73, 317, 533, 564, 580, 589, 647.
H 93	FAMILY PRESERVATION SERVICES (ASSIGNED TO HUM-CHL&) (S 141)	73, 251.
H 94	LOCALS INSPECT ABC PREMISES (REPTD UNFAV) (S 25)	74, 271.
H 95	CUMBERLAND INDUSTRIAL SITES (RATIFIED CH.0057)	73, 104, 110, 404, 417, 439.
H 96	ADVANCE DIRECTIVES, HEALTH CARE (Senate) .	74, 642, 684.
H 97	UNIFORM COLOR DISPOSABLE GLASS (REPTD TO ENVIRONM)	74, 98, 478.
H 98	28-YEAR RETIREMENT (RE-REF COM ON APPROP) ..	74, 757.
H 99	HEALTH DIRECTOR ORIENTATION (REF TO COM ON APPROP)	74.
H 100	REPEAL RESIGN-TO-RUN (REF TO COM ON JUDICI)	74.
H 101	1991 PERMANENT HOUSE RULES (ADOPTED) ...	74, 299, 309.
H 102	APPOINTED JUDGES/CONSTITUTION-2 (REF TO COM ON COURTS&)	76.
H 103	APPOINTED JUDGES/STATUTE-2 (REF TO COM ON COURTS&)	76.
H 104	SAME DAY VOTER REGISTRATION (REF TO COM ON COURTS&)	76.
H 105	LICENSE EXAMINER REGISTER VOTER (RE-REF COM ON APPROP)	76, 476.
H 106	REGISTER VOTER BY MAIL (RE-REF COM ON APPROP)	77, 365.
H 107	BOARD OF GOVERNORS ELECTION-H (ADOPTED)	75, 79, 91, 119.
H 108	PRESCRIPTION DRUG ASSISTANCE ACT (REF TO COM ON APPROP)	77.
H 109	CONTINUE PERSONNEL STUDY COMM'N (REF TO COM ON RULES&) (S 64)	77.
H 110	STATE PERSONNEL TECHNICAL AMENDS (REF TO COM ON PUBEMP) (S 10)	77.
H 111	HIGHWAY PARTICIPATION SUNSET OFF (RATIFIED CH.0021)	77, 112, 114, 124, 196.
H 112	LINCOLN/EDGEcombe DEED REGISTER (RATIFIED CH.0014)	77, 94, 101, 106, 168.
H 113	AYDEN PRIVATE SALE (RATIFIED CH.0058)	77, 97, 107, 404, 417, 439.
H 114	SCHOOL HEALTH COORDINATOR FUNDS (REF TO COM ON APPROP)	77.
H 115	PORTS AUTHORITY/NO SALES TAX (POSTPONED INDEFINITELY) (S 66)	79, 460.
H 116	PORTS AUTHORITY CONTRACTS (POSTPONED INDEFINITELY) (S 68)	79, 492.

H 117	INCREASE FISHERIES FINES (RATIFIED CH.0176)	79, 117, 125, 742, 755, 771.
H 118	FISHERIES TECHNICAL CORRECTIONS (RATIFIED CH.0086)	79, 112, 260, 282, 658.
H 119	PINEVILLE ANNEXATION (RATIFIED CH.0048)	80, 97, 145, 152, 159, 384.
H 120	MEDICAL MALPRACTICE STUDY (REF TO COM ON RULES&) (S 65)	80.
H 121	MEREDITH COLLEGE CENTENNIAL (RATIFIED RES.29) (S 92)	80, 94, 1245.
H 122	STATE DAY CARE ENCOURAGEMENT (RATIFIED CH.0345)	80, 110, 454, 490, 887, 908,923.
H 123	SCHOOL REFORM ACT (REF TO COM ON EDUCATN)	80.
H 124	WATER PROJECTS PLAN (RATIFIED CH.0579)(S 84) ..	80, 98, 625, 665, 1076, 1088,1103.
H 125	WATER TRANSFER PERMITS (ASSIGNED TO ENV-WAT&) (S 129)	80, 98.
H 126	AIRPORT AUTHORITY SECURITY INTERESTS (RATIFIED CH.0741) (S 48)	81, 117, 126, 138, 161, 186, 1191, 1199, 1221, 1225, 1228,1237.
H 127	LRC STUDY SURFACE WATER (REF TO COM ON RULES&) (S 85)	81.
H 128	WATER RESOURCES IN BUDGET (REF TO COM ON APPROP) (S 154)	81.
H 129	MOBILE HOME FINANCE CHARGES-2 (REF TO COM ON COMMERCE)	81.
H 130	IMPROVE APA RULE-MAKING PROCESS (REF TO COM ON JUDICII) (S 155)	81.
H 131	UNC REPORT ON PUBLIC SERVICE (RATIFIED CH.0346)	81, 579, 637, 887, 908, 923.
H 132	DRAINAGE ASSESSMENT NOTICE (RATIFIED CH.0634)	81, 510, 560, 1147.
H 133	DOT USE RECYCLED GOODS (RATIFIED CH.0522)	81, 98, 188, 226, 234, 243,1069.
H 134	REGIONAL WASTE AUTHORITY POWERS (RATIFIED CH.0580)	82, 98, 237, 257, 1076, 1088,1104.
H 135	USED OIL CARRIERS TO BE MARKED (RATIFIED CH.0488)	82, 99, 132, 529, 546, 597,1046.
H 136	SOLID WASTE INCINERATOR BANS (Senate)	82, 99, 478, 522, 537.
H 137	PROHIBITED ACTS FOR ANTIFREEZE (ASSIGNED TO ENV-SOLI)	82, 99.
H 138	LINCOLN/EDGEcombe SHERIFF VACANCY (RATIFIED CH.0015)	82, 94, 103, 106, 168.
H 139	TEMPORARY PARK EMPLOYEE PAY (REF TO COM ON APPROP)	82.
H 140	PARK LIFE GUARDS FUNDS (REF TO COM ON APPROP) ..	83.
H 141	STATE PARKS STUDY COMM'N (REF TO COM ON RULES&)	83.
H 142	PARK IMPROVEMENT PLAN (REF TO COM ON APPROP) ..	83.
H 143	PARK LAND ACQUISITION FUNDS (REF TO COM ON APPROP)	83.
H 144	PARKS CLERKS FUNDS (REF TO COM ON APPROP)	83.
H 145	ALZHEIMER'S ASSOCIATION FUNDS (REF TO COM ON APPROP) (S 79)	83.
H 146	SOLID WASTE FACILITY FEE (REF TO COM ON FINANCE)	83.
H 147	INCINERATOR/MFR PERMIT CONDITION (ASSIGNED TO ENV-SOLI)	84, 99.
H 148	DROP-OUT PREVENTION (RATIFIED CH.0307)(S 124)	84, 285, 396, 434, 443, 888.

H 149	REGULATE PUBLIC SMOKING (Senate) (S 126)	84, 284, 324.
H 150	EQUITY IN EDUCATION FUNDING (REF TO COM ON APPROP) (S 127)	84.
H 151	HIGHER EDUCATION ENCOURAGEMENT (RE-REF COM ON APPROP) (S 125)	84, 285, 425, 455.
H 152	TECH PREP FUNDS (REF TO COM ON APPROP)(S 117)	84.
H 153	APA HEARINGS/REPEAL APA SUNSET (RE-REF COM ON APPROP) (S 157)	84, 198.
H 154	LICENSING BOARDS STUDY (REF TO COM ON RULES&) . .	89.
H 155	REVOLVING CHARGE INTEREST (REPTD UNFAV) (S 196)	89, 261, 582, 624.
H 156	WINSTON-SALEM BEER POSSESSION (Senate) . . .	89, 128, 133.
H 157	GREENSBORO FAIR HOUSING (RATIFIED CH.0067)	90, 120, 130, 133, 268, 392, 417, 451, 464.
H 158	DWI REVOCATION, 18-21 YEAR OLD (FAILED 2ND READING)	90, 638, 681.
H 159	ANNEXATION/SERVICES PROVIDED (RATIFIED CH.0025)	90, 140, 154, 199.
H 160	NO SADISTIC VIDEOS TO MINORS (REF TO COM ON JUDICI)	90.
H 161	HEALTH DIRECTOR INTERNS (REF TO COM ON APPROP) .	90.
H 162	CONFIRM WILLIAM T. GRAHAM-2 (POSTPONED INDEFINITELY) (S 118)	90, 458.
H 163	STATE PORTS TAX CREDIT (RE-REF COM ON FINANCE) (S 67)	90, 540, 639, 714, 721.
H 164	LRC CONTINUE HOMELESS STUDY (REF TO COM ON RULES&)	90.
H 165	LOW-INCOME HOUSING PRESERVATION (RATIFIED CH.0581)	91, 98, 197, 260, 302, 1076, 1088, 1104.
H 166	CRAVEN ROAD HUNTING (RATIFIED CH.0145)	91, 128, 134, 743.
H 167	LEGISLATURE MEET AT ECSU (POSTPONED INDEFINITELY)	85, 458.
H 168	HOME CARE LICENSING (RATIFIED CH.0059)(S 80)	91, 114, 362, 389, 415, 439.
H 169	PASQUOTANK LOAN FORGIVEN (ASSIGNED TO APP-EDUC)	95, 583.
H 170	WORKER TRAINING STUDY (REF TO COM ON RULES&) (S 203)	95.
H 171	INVITATION TO CHIEF JUSTICE (POSTPONED INDEFINITELY) (S 187)	91, 96.
H 172	MITCHELL ACCOUNTANT/TAX COLLECTOR (Senate)	95, 132, 138.
H 173	CONTINUE SOCIAL SERVICES STUDY (REF TO COM ON RULES&)	99.
H 174	CHILD PROTECTIVE SERVICES FUNDS (REF TO COM ON APPROP)	99.
H 175	RAILROAD CROSSING SAFETY (RATIFIED CH.0368)	99, 117, 130, 921, 939, 944.
H 176	CONTRACT AGENT FEE (Senate) (S 146)	99, 187, 836, 851.
H 177	CONTINUE DEPOSITORY INST. STUDY (REF TO COM ON RULES&)	100.
H 178	FAYETTEVILLE TECH. EQUIP. FUNDS (REF TO COM ON APPROP) (S 184)	100.
H 179	UNDERCOVER MV INFO. CONFIDENTIAL-1 (REPTD UNFAV)	100, 764.
H 180	RAISE FELONY AMOUNTS (RATIFIED CH.0523)	100, 140, 148, 1021, 1044, 1069.

H 181	WORKER TRAINING TRUST FUND (REF TO COM ON APPROP) (S 204)	104.
H 182	HFA HOMELESSNESS PREVENTION (RATIFIED CH.0582)	104, 189, 319, 343, 1081,1093, 1104.
H 183	STATE HEALTH PROJECTS (RATIFIED CH.0548)	105, 114, 273, 303, 1090.
H 184	FOREIGN SALES CORP. TAX CHANGES (REPTD TO FINANCE) (S 185)	105, 146, 975.
H 185	MODIFY GASTON OCCUPANCY TAX (RATIFIED CH.0049)	105, 128, 155, 169, 177, 384.
H 186	STATE DOCUMENTS, ALKALINE PAPER (RATIFIED CH.0224)	105, 250, 426, 444, 801.
H 187	ECONOMIC DEVELOPMENT FUNDS (REF TO COM ON APPROP) (S 180)	105.
H 188	HOMELESS OUTREACH FUNDS (REF TO COM ON APPROP)	105.
H 189	UNDERCOVER MV INFO. CONFIDENTIAL-2 (REPTD UNFAV) (S 209)	105, 764.
H 190	EQUITABLE DISTRIBUTION JUDGMENT (Conf. Comm.)	106, 662, 687, 1092, 1107,1124.
H 191	PUBLIC CONTRACT FULL INCLUSION-2 (REF TO COM ON STATGOVT)	106.
H 192	PARENTAL RIGHTS TERMINATION (Senate)	106, 235, 248, 256.
H 193	CURRITUCK LEASH LAW DISTRICT (RATIFIED CH.0625) .	107, 128, 155, 170, 177, 1099,1114, 1129.
H 194	ELIZABETH CITY-PASQUOTANK AIRPORT (RATIFIED CH.0026)	107, 128, 134, 199.
H 195	PRESCRIPTION DRUG POSSESSION (REF TO COM ON JUDICI)	108.
H 196	ABC CREDIT CARD SALES (REF TO COM ON JUDICIII) ...	108.
H 197	STALLINGS POST OFFICE (RATIFIED CH.0016)	108, 131, 138, 168.
H 198	RESTRUCTURE BUDGET PROCESS-2 (REF TO COM ON APPROP)	108.
H 199	LOCK BOX ACCESS BY SPOUSE (REF TO COM ON JUDICII)	108.
H 200	CHADBOURN MUSEUM FUNDS (REF TO COM ON APPROP)	108.
H 201	SUMMER SCHOOL PROGRAM FUNDS (REF TO COM ON APPROP) (S 202)	108.
H 202	HONOR HUGH CALE AND ECSU (RATIFIED RES.04)	103, 111, 1550.
H 203	FOSTER CARE FUNDS (REF TO COM ON APPROP)	109.
H 204	SOCIAL SERVICES REST HOME RULES (RATIFIED CH.0462)	109, 114, 146, 154, 172, 436,473, 486, 810, 981, 1008,1024.
H 205	EARLY ED./HANDICAPPED FUNDS (REF TO COM ON APPROP) (S 138)	109.
H 206	REG.OF DEEDS VACANCIES, TERMS (RATIFIED CH.0060)	112, 174, 186, 404, 417, 439.
H 207	WALTER REED HOUSE FUNDS (REF TO COM ON APPROP)	112.
H 208	PAROLEES PURSUE DEGREE (RATIFIED CH.0054)	113, 139, 148, 416.
H 209	FAMILY CAMPAIGN CONTRIBUTIONS (REPTD UNFAV)	113, 646.
H 210	NO DRIVERS LICENSE FOR DELINQUENT (REF TO COM ON JUDICII) (S 24)	113.
H 211	DEMOLITION ORDERS (RATIFIED CH.0208)	113, 189, 319, 344, 421, 434,790.

H 212	HONOR FOUNDERS OF NC A&T (POSTPONED INDEFINITELY) (S 208)	115, 120, 126.
H 213	REGULATE SELF-SERVICE GAS PUMPS (REF TO COM ON COMMERCE)	115.
H 214	AMEND BAD CHECK FEE (REF TO COM ON JUDICI)	115.
H 215	CUMBERLAND AUDITORIUM COMM'N (RATIFIED CH.0027)	115, 135, 148, 199.
H 216	PIEDMONT AGRICULTURAL CTR. FUNDS (REF TO COM ON APPROP) (S 222)	121.
H 217	EXTREMELY SERIOUS ASSAULT/FELONY (Senate)	121, 144, 161.
H 218	SIMPLIFY COMMUNICABLE DISEASE LAW (RATIFIED CH.0225)	122, 149, 412, 435, 801.
H 219	FOOD AND LODGING PERMITS (RATIFIED CH.0226)	122, 149, 412, 435, 801.
H 220	MEDICAL EXAMINER FEE-1 (RATIFIED CH.0463)	122, 149, 527, 856, 876, 896, 1024.
H 221	HARNETT SCHOOL LOAN (ASSIGNED TO APP-EDUC)	122, 583.
H 222	UNC HANDICAPPED BARRIERS FUNDS (RE-REF COM ON APPROP)	122, 273.
H 223	WASHINGTON GARBAGE FEE COLLECTION (REPTD TO FINANCE)	122, 128, 283, 581.
H 224	WITHDRAW TRIAL DE NOVO APPEAL (RATIFIED CH.0063)	122, 223, 234, 451.
H 225	DARE OCCUPANCY/MEALS TAX (RATIFIED CH.0177)	122, 146, 181, 259, 299, 311, 718, 735, 743, 754, 771.
H 226	ONE CENT LOCAL SALES TAX (REF TO COM ON FINANCE)	124.
H 227	RANDLEMAN RESERVOIR FUNDS (REF TO COM ON APPROP) (S 201)	124.
H 228	HAZ. WASTE INSPECTORS DELAY (RATIFIED CH.0020) (S 207)	125, 128, 132, 139, 184.
H 229	HAYWOOD COMM. COLLEGE FUNDS (REF TO COM ON APPROP)	125.
H 230	SCHOOL BUS DRIVERS EMPLOYMENT (Senate)	125, 284, 641, 664, 667, 708.
H 231	ARSENIC PESTICIDES STUDY (RE-REF COM ON RULES&)	125, 619, 712, 787, 858.
H 232	NO TAX ROLLBACK ON CONDEMNATION (Senate)	125, 586, 647.
H 233	STANLY AIRPORT AUTHORITY (RATIFIED CH.0583)	125, 145, 152, 171, 1076, 1087, 1104.
H 234	1/2 CENT LOCAL SALES TAX (REF TO COM ON FINANCE)	125.
H 235	CLARIFY LAW OFFICER RETIREMENT (RE-REF COM ON APPROP)	129, 852.
H 236	CONTINUE WETLANDS STUDY (REF TO COM ON RULES&)	132.
H 237	RESTORE INVENTORY TAX (REF TO COM ON FINANCE)	132.
H 238	BROUGHTON HOSPITAL A/C FUNDS (REF TO COM ON APPROP)	136.
H 239	STATE/LOCAL ONE CENT SALES TAX (REF TO COM ON FINANCE)	136.
H 240	GIBSONVILLE TAX REFUND EXTENDED (RATIFIED CH.0524)	136, 156, 962, 998, 1069.
H 241	NC EDUCATION COUNCIL ABOLISHED (RATIFIED CH.0369)	136, 594, 627, 921, 939, 944.
H 242	CREDIT CARD DEREGULATION (REPTD UNFAV)(S 174)	136, 238, 583, 625.

H 243	DAVIE PROPERTY TAX ENFORCEMENT (RATIFIED CH.0194)	137, 150, 160, 783.
H 244	HIGH POINT ELECTIONS (RATIFIED CH.0040) (S 231) ..	137, 151, 160, 171, 309, 323,330.
H 245	MERCHANTS SALES TAX DISCOUNT (REF TO COM ON FINANCE) (S 96)	137.
H 246	EQUITY INVESTMENT COMMITTEE (REPTD TO STATGOVT)	137, 250, 329.
H 247	MECKLENBURG VOL. POLICE AUX. (RATIFIED CH.0028)	137, 145, 153, 199.
H 248	MOORESVILLE OCCUPANCY TAX (RATIFIED CH.0296)	137, 156, 170, 178, 847, 860,875.
H 249	BUSINESS INCUBATOR EXTENSION (RATIFIED CH.0111)	137, 162, 272, 303, 730.
H 250	BEP/SB2 BLANK BILL (REF TO COM ON RULES&) (S 168)	140.
H 251	BEP/SOCIAL SERVICES FUNDING BLANK (REF TO COM ON APPROP) (S 170)	140.
H 252	BEP/SCHOOL EQUITY FUNDS BLANK-1 (REF TO COM ON RULES&) (S 188)	140.
H 253	DRIVERS EDUCATION BLANK BILL (REF TO COM ON RULES&) (S 172)	140.
H 254	BEP/SCHOOL CONSTRUCTION BONDS (REF TO COM ON EDUCATN) (S 169)	141.
H 255	BEP/SMALL SCHOOL FUNDS BLANK (REF TO COM ON RULES&) (S 171)	141.
H 256	VETERANS CEMETERY FUNDS (REF TO COM ON APPROP) (S 256)	141.
H 257	COMPROMISE USE-VALUE ROLLBACK (REF TO COM ON FINANCE)	141.
H 258	PRISONERS WORK FOR COUNTIES (REF TO COM ON JUDICI) (H 259)	141.
H 259	PRISONERS WORK FOR COUNTIES (REF TO COM ON JUDICI) (H 258)	141.
H 260	BEP/SCHOOL EQUITY FUNDS BLANK-2 (REF TO COM ON RULES&)	142.
H 261	DOT CONDEMNATION STUDY (RE-REF COM ON APPROP)	142, 764.
H 262	CORPORATE APPORTIONMENT FORMULA (REF TO COM ON FINANCE)	142.
H 263	LOCAL SOLID WASTE CONTACTS (RATIFIED CH.0029)	142, 145, 154, 199.
H 264	ANSON SCHOOL ELECTIONS (RATIFIED CH.0033)	142, 145, 153, 246.
H 265	ANSON FORCE ACCOUNT LIMIT (Senate)	142, 145, 153.
H 266	MEMORIALIZE THOMAS J. WHITE, JR (RATIFIED RES.07) (S 228)	142, 147.
H 267	BUSINESS OPPORTUNITY REDEFINED (RATIFIED CH.0074) (S 558)	143, 159, 236, 248, 257, 499,514, 532.
H 268	FREE VACCINES-1 (REF TO COM ON APPROP)	146.
H 269	PRIVATE PROTECTIVE SERVICES (ASSIGNED TO SG-BRDS&) (S 206)	146, 250.
H 270	MECKLENBURG FUND COURT PERSONNEL (REF TO COM ON JUDICII) (S 212)	147.
H 271	MECKLENBURG MED. EXAMINER FUNDS (REF TO COM ON APPROP)	147.
H 272	HOUSING TRUST FUND FUNDS (REF TO COM ON APPROP) (S 285)	147.

H 273	HENDERSON OCCUPANCY TAX PENALTY (RATIFIED CH.0055)	147, 181, 236, 247, 255, 416.
H 274	SPEAKER'S APPOINTMENTS (RATIFIED CH.0756)	151, 1232, 1233, 1254.
H 275	PAMLICO SUBDIVISION REPEAL (RATIFIED CH.0370)	156, 222, 232, 255, 944.
H 276	POLITICAL PARTIES FUND ADMIN. (RATIFIED CH.0347)	156, 235, 248, 923.
H 277	CLARIFY BANKS COMM'R AUTHORITY (Senate)	156, 238, 324, 344.
H 278	LONG BEACH ASSESSMENTS (RATIFIED CH.0464)	156, 181, 259, 299, 311, 1024.
H 279	HEALTH BENEFITS/HANDICAPPED (RATIFIED CH.0427)	156, 459, 504, 850, 884, 901, 915, 984.
H 280	TORNADO DISASTER FUNDS (REF TO COM ON APPROP)	157.
H 281	RAIL CORRIDOR PURCHASE (RATIFIED CH.0673)	157, 580, 621, 1022, 1054, 1079, 1159, 1178, 1194.
H 282	DOT CONTRACT PARTICIPATION SUNSET (RATIFIED CH.0272)	157, 477, 519, 536, 848.
H 283	ASSAULT ON PUBLIC OFFICIAL (RATIFIED CH.0525)	157, 546, 638, 681, 1022, 1044, 1069.
H 284	LRC STUDY CONSUMER PROTECTION (REF TO COM ON RULES&)	157.
H 285	PUBLIC SERVICE MEMORIAL FUNDS (REF TO COM ON APPROP)	157.
H 286	MEMORIALIZE CHARLES RAPER JONAS (RATIFIED RES.14)	157, 662, 701, 707, 720.
H 287	LIMIT SESSION LENGTH-2 (REPTD UNFAV)	157, 526.
H 288	CONGRESS INCREASES UNEMPLOYMENT FUNDS (REF TO COM ON RULES&) (S 226)	158.
H 289	VALIDATE CONVEYANCES (RATIFIED CH.0489)	158, 313, 342, 1002, 1027, 1046.
H 290	HOUSING CODE NOTICE (RATIFIED CH.0526)	158, 236, 248, 1069.
H 291	CHARLOTTE/MATTHEWS AUTO TAX (RATIFIED CH.0209)	158, 187, 230, 241, 269, 464, 749, 771, 783, 790.
H 292	AFRO-AMERICAN CENTER FUNDS (REF TO COM ON APPROP)	158.
H 293	SICKLE CELL CENTERS FUNDS (REF TO COM ON APPROP)	158.
H 294	THE RELATIVES FUNDS (REF TO COM ON APPROP)	158.
H 295	PAC CONTRIBUTION LIMITS (RE-REF COM ON JUDICII)	159, 414.
H 296	STATE MATERNITY HOMES FUNDS (REF TO COM ON APPROP)	162.
H 297	DRUG OFFENDER DRIVERS LICENSE (RE-REF COM ON JUDICII)	162, 660, 707.
H 298	DRUG OFFENDER LICENSE REVOCATION (REF TO COM ON JUDICII)	162.
H 299	DESIGNATING TRUCK ROUTES (RATIFIED CH.0112)	162, 187, 251, 270, 477, 520, 537, 730.
H 300	NO POINTS FOR CERTAIN SPEEDING (RATIFIED CH.0101)	162, 301, 324, 340, 388, 719.
H 301	CEMETERY ACT AMENDMENTS (RATIFIED CH.0653)	163, 305, 735, 759, 773, 1174.
H 302	APPLIED TEXTILE TECH. CENTER (Senate) (S 280)	163, 273, 303.

H 303	AMEND FORECLOSURE POSTPONEMENT (Senate)	163, 313, 342.
H 304	DRUG DEALER MANDATORY SENTENCE (REF TO COM ON JUDICI)	163.
H 305	ARMED ROBBERY ELEMENTS (Senate)	163, 305, 326, 341, 364, 962, 998.
H 306	MILITARY TAX FILING EXTENSION (Senate)(S 255)	163, 305, 341.
H 307	PERSIAN GULF VET. SCHOLARSHIPS (RATIFIED CH.0549)	163, 317, 411, 565, 620, 1090.
H 308	LOCKBOX/CREDIT CARD TAX COLLECTION (RATIFIED CH.0584)	164, 223, 378, 422, 1040, 1066, 1087, 1104.
H 309	STATE BAR AMENDMENTS (RATIFIED CH.0210)	164, 391, 434, 443, 472, 776, 784, 790.
H 310	PROFESSIONAL CORPORATION FEE (ASSIGNED TO FIN-STAT)	164, 394.
H 311	PRISON BOND APPROPRIATIONS (REF TO COM ON APPROP) (S 265)	164.
H 312	CONTINUE NURSING STUDY COMM'N (REF TO COM ON RULES&) (S 276)	164.
H 313	NURSING EDUC./TRAINING FUNDS (REF TO COM ON APPROP) (S 275)	165.
H 314	NURSING SHORTAGE REMEDIES (RATIFIED CH.0550) (S 278)	165, 338, 377, 421, 443, 1040, 1068, 1090.
H 315	SHORTAGE OCCUPATION ASSISTANCE (Senate) (S 277)	165, 459, 504.
H 316	COSMETIC ARTS FEES (REPTD TO FINANCE)	165, 306, 328.
H 317	ESTHETICIAN/MANICURIST REGULATED (REF TO COM ON STATGOVT)	165.
H 318	OUTDOOR ADVERTISING FEES INCREASED (REPTD TO FINANCE)	166, 528, 750.
H 319	DAY CARE HEALTH ASSESSMENT (Senate)	166, 180, 463, 518.
H 320	FIREMEN'S PENSION ELIGIBILITY (RE-REF COM ON APPROP)	166, 425.
H 321	DOT APPRAISAL EXEMPTION (RATIFIED CH.0094)	166, 187, 261, 302, 312, 711.
H 322	INCREASE STATE ADMISSION TAX (REF TO COM ON FINANCE)	166.
H 323	EXPAND PRISON LAUNDRIES (REF TO COM ON APPROP)	166.
H 324	ELECTION RESULTS FILING (RATIFIED CH.0428) (S 313)	166, 476, 522, 953, 969, 984.
H 325	LOBBYIST REGULATIONS REVISED-2 (RE-REF COM ON JUDICIII)	167, 646, 671.
H 326	ROWLAND OCCUPANCY TAX (RATIFIED CH.0154)	167, 188, 230, 241, 753.
H 327	SURRY SCHOOL TERMS (RATIFIED CH.0308)	174, 227, 242, 888.
H 328	BEAUFORT COMM. COLLEGE FUNDS (REF TO COM ON APPROP)	174.
H 329	PUBLIC HEARING/COUNTY HOME RULE (REF TO COM ON JUDICI)	174.
H 330	MOTOR VEHICLE DEALER DEFINITION (RATIFIED CH.0527)	174, 271, 312, 324, 1022, 1044, 1069.
H 331	TRUCK/BUS TWO REARVIEW MIRRORS (RATIFIED CH.0113)	175, 458, 490, 730.
H 332	COUNCIL ON DISABILITIES CHANGE (RATIFIED CH.0608)	175, 250, 412, 505, 560, 1092, 1107, 1115.
H 333	TEXTBOOK DISPOSAL RULES (RATIFIED CH.0328) (S 443)	175, 273, 303, 906.

H 334	MORE TEACHER VACATION LEAVE (RE-REF COM ON RULES&)	175, 285, 641, 850.
H 335	TIDEWATER RESEARCH FUNDS (REF TO COM ON APPROP)	175.
H 336	ANIMAL SAFETY FUNDS (REF TO COM ON APPROP)	175.
H 337	AGRICULTURE MARKETING FUNDS (REF TO COM ON APPROP) (S 309)	175.
H 338	PESTICIDE PROGRAM FUNDS (REF TO COM ON APPROP)	175.
H 339	PASQUOTANK PROPERTY SALE (RATIFIED CH.0061)	176, 223, 233, 404, 417, 439.
H 340	INCREASE CURRITUCK OCCUPANCY TAX (RATIFIED CH.0155)	176, 460, 501, 515, 753.
H 341	HORSE RACING STUDY-2 (RE-REF COM ON APPROP)	176, 629.
H 342	STATE BOND ACT OF 1991 (RE-REF COM ON FINANCE)	176, 414.
H 343	ADJUST LOCAL TAX PENALTY (RATIFIED CH.0064)	182, 259, 282, 451.
H 344	WATER POLLUTION PERMIT AMENDMENTS (RATIFIED CH.0156)	182, 187, 437, 474, 486, 753.
H 345	RAISE MINIMUM WAGE-2 (POSTPONED INDEFINITELY)	182, 966.
H 346	PODIATRY FEES/LICENSE (RE-REF COM ON FINANCE) (S 316)	182, 250, 412, 544.
H 347	MAMMOGRAM/PAP SMEAR COVERAGE (RATIFIED CH.0490) (S 310)	182, 510, 836, 864, 1002, 1027, 1047.
H 348	JONES ROAD HUNTING (RATIFIED CH.0146)	183, 223, 233, 242, 743.
H 349	FIREARM USE DURING DRUG OFFENSE (RE-REF COM ON APPROP)	183, 497.
H 350	INDIAN AFFAIRS COMM'N DIRECTOR (RATIFIED CH.0088) (S 308)	183, 587, 622, 676.
H 351	INSURER SOLVENCY PROGRAM (ASSIGNED TO COM-INSU) (S 342)	183, 238.
H 352	VACCINE INJURY PROGRAM (RATIFIED CH.0410)	183, 626, 648, 669, 942, 955, 967.
H 353	PHARMACY ACT TECH. AMENDS (RATIFIED CH.0125)	183, 250, 329, 487, 520, 737.
H 354	PHARMACY BOARD FEES (ASSIGNED TO FIN-STAT)	183, 261.
H 355	MEDICAL BOARD SUBPOENAS (RATIFIED CH.0348)	184, 366, 407, 421, 810, 885, 908, 923.
H 356	LINCOLN/CATAWBA GEOGRAPHY RECORDS (RATIFIED CH.0285)	184, 223, 233, 788, 833, 849, 860.
H 357	MEDICAL BOARD PROPERTY (Senate)	184, 250, 426, 505, 765, 786, 793.
H 358	MECKLENBURG AREA FUNDS (REF TO COM ON APPROP)	184.
H 359	ARTHRITIS PATIENT FUNDS (REF TO COM ON APPROP)	184.
H 360	MECKLENBURG MENTAL HEALTH FUNDS (REF TO COM ON APPROP)	184.
H 361	NO DRUGS AT SCHOOL BUS STOPS (REF TO COM ON JUDICIII)	189.
H 362	CLARIFY INVENTORY TAX EXEMPTIONS (REF TO COM ON FINANCE)	189.
H 363	AREA AUTHORITY PROPERTY (REF TO COM ON APPROP)	190.
H 364	VOCATIONAL REHAB. VEHICLES (Senate)	190, 962, 999.
H 365	REGISTER OF DEEDS PENSION PAYDAY (RATIFIED CH.0050)	190, 258, 281, 384.

H 366	LGERS CREDITABLE SICK LEAVE (RATIFIED CH.0753) (S 543)	190, 258, 858, 878, 1183,1199, 1244, 1247.
H 367	TSERS/LGERS LATE PAYMENT PENALTY (RATIFIED CH.0585)	190, 258, 282, 1081, 1093,1104.
H 368	CLARIFY RETIREMENT DEFINITION (RATIFIED CH.0051)	190, 258, 282, 384.
H 369	CAPITAL IMPROVEMENTS BONDS (REF TO COM ON APPROP)	190.
H 370	ANNEXATION DOCUMENTS FILED (RATIFIED CH.0586)	191, 366, 407, 1081, 1094,1104.
H 371	SEC. OF STATE FEE INCREASE (RATIFIED CH.0429)	191, 306, 339, 362, 984.
H 372	MED. ASSISTANCE THERAPEUTIC LEAVE (RATIFIED CH.0126)	191, 252, 496, 524, 558, 587,737.
H 373	MEDICARE ELIGIBILITY CHANGE (RATIFIED CH.0127)	191, 252, 496, 537, 737.
H 374	HUNTER SAFETY STATEMENT (RATIFIED CH.0070)	191, 232, 260, 282, 514.
H 375	PROPERTY TAX RECORDS SECRECY (POSTPONED INDEFINITELY) (S 347)	191, 224, 752, 843.
H 376	MOTOR VEHICLE INSPECTIONS (REPTD TO TRANSPOR)	192, 495, 583, 623.
H 377	HEALTH PROFESSIONAL RECRUITMENT (REF TO COM ON APPROP)	192.
H 378	TRESPASS TO HUNT (REPTD UNFAV)	192, 525.
H 379	INCREASE SPEEDING FINES-2 (Senate)	192, 539, 589.
H 380	LOCAL GOV'T RETIREE BENEFITS (RE-REF COM ON APPROP)	192, 561.
H 381	OSHA CHANGES (RATIFIED CH.0329)	192, 474, 518, 872, 890, 906.
H 382	NO STACKING OVERWEIGHT PENALTIES (RE-REF COM ON APPROP)	192, 447, 1161, 1191.
H 383	UNC HOSPITALS FINANCE (ASSIGNED TO FIN-STAT)	192, 858, 919.
H 384	UNC HOSPITALS FINANCE FLEXIBILITY (Senate)	193, 836, 851.
H 385	YOUTH COUNCIL CHANGES (RATIFIED CH.0128)	193, 250, 438, 506, 538, 737.
H 386	AERONAUTICS AMENDMENTS (RATIFIED CH.0430)	193, 565, 620, 984.
H 387	UNC HEALTH CARE DEBT COLLECTION (RE-REF COM ON FINANCE)	193, 703.
H 388	ATT'Y GENERAL DEBT COLLECTION (RATIFIED CH.0095)	193, 380, 408, 711.
H 389	SO.APPALACHIAN MAINSTREAM FUNDS (REF TO COM ON APPROP)	193.
H 390	PLANT PEST CERTIFICATION FEES (RATIFIED CH.0442)	193, 283, 301, 312, 1006.
H 391	UNAFFILIATED CANDIDATE PETITION (RATIFIED CH.0297)	193, 446, 489, 876.
H 392	EXTEND BLAZE ORANGE REQUIREMENT (RATIFIED CH.0071)	193, 232, 260, 302, 514.
H 393	WESTERN CAROLINA CENTER FUNDS (REF TO COM ON APPROP) (S 300)	194.
H 394	URGE WELFARE REFORM CONTINUANCE (REF TO COM ON RULES&)	194.
H 395	DIVORCE SUMMARY JUDGMENT (RATIFIED CH.0568)	194, 366, 389, 407, 1092.

H 396	CLARIFY ALIMONY LAW (RATIFIED CH.0569)	194, 366, 407, 421, 1092.
H 397	RETIREMENT EQUITABLE DISTRIBUTION (Senate)	194, 590, 662, 690.
H 398	MARITAL ASSET DISTRIBUTION (RATIFIED CH.0635)	194, 424, 444, 1092, 1108, 1117, 1127, 1147.
H 399	PREKINDERGARTEN PROGRAMS (RE-REF COM ON APPROP)	194, 713.
H 400	MORTUARY SCIENCE REGULATIONS (RATIFIED CH.0528)	194, 251, 285, 505, 517, 534, 555, 1022, 1044, 1069.
H 401	VENTURE CAPITAL WITHHOLDING (REF TO COM ON FINANCE)	194.
H 402	VEHICLE REGISTRATION/INSPECT EXHAUST (RATIFIED CH.0654)	195, 496, 546, 598, 1002, 1140, 1151, 1174.
H 403	COLLISION REPORT FEES (REF TO COM ON FINANCE) ..	195.
H 404	FELONY DRIVING WITHOUT LICENSE (REF TO COM ON JUDICIII)	195.
H 405	INCOME TAX RESIDENCY CHANGES (REF TO COM ON FINANCE)	195.
H 406	NO INSPECTION CERTAIN TRUCKS (RATIFIED CH.0394)	195, 495, 643, 685, 921, 938, 946, 954.
H 407	CONTINUE UTILITY REVIEW (RATIFIED CH.0129)	195, 593, 624, 737.
H 408	FACILITIES PLAN LIMIT CERT. NEED (RATIFIED CH.0701)	195, 432, 547, 598, 668, 1205, 1220, 1230, 1231, 1239, 1244.
H 409	FARMWORKER COUNCIL MEMBERSHIP (RATIFIED CH.0130)	199, 250, 329, 506, 524, 737.
H 410	ENVIRONMENTAL POLICY ACT AMENDS (RATIFIED CH.0431) (S 410)	199, 223, 271, 313, 324, 953, 969, 985.
H 411	SANCTION STATE GAMES (RATIFIED CH.0096)	199, 250, 329, 506, 538, 711.
H 412	RECYCLE HAZARDOUS WASTE (RATIFIED CH.0286) (S 390)	200, 224, 566, 637, 860.
H 413	INCREASE FINES FOR LITTERING (RATIFIED CH.0609) (S 409)	200, 223, 259, 344, 389, 1085, 1106, 1115.
H 414	REGISTER OF DEEDS PENSION CHANGE (RATIFIED CH.0443) (S 351)	200, 663, 850, 867, 1006.
H 415	AGRICULTURAL FIN. AUTH. FUNDS (REF TO COM ON APPROP) (S 301)	200.
H 416	CHILD DAY CARE LAW CHANGES (RATIFIED CH.0273)	200, 251, 593, 670, 821, 825, 837, 848.
H 417	EQUITABLE DIST. FOR INCOMPETENT (RATIFIED CH.0610)	200, 380, 408, 472, 662, 687, 1093, 1108, 1115.
H 418	ADMISSION OF DEPOSITIONS (RATIFIED CH.0491)	200, 511, 562, 635, 1002, 1027, 1047.
H 419	REVIVAL OF WILL PROVISIONS (RATIFIED CH.0587)	201, 545, 596, 1081, 1094, 1104.
H 420	OMNIBUS TECHNICAL AMENDMENTS (RATIFIED CH.0636)	201, 594, 664, 1002, 1122, 1127, 1147.
H 421	RESTORATION NON-NC FELONS RIGHTS (RATIFIED CH.0274)	201, 380, 408, 848.
H 422	WATER/AIR WASTE DEFINITION (RATIFIED CH.0287)	201, 231, 463, 507, 860.

H 423	SANITARY SYSTEM REPAIR-1 (RATIFIED CH.0256)	201, 231, 328, 377, 810, 824,835.
H 424	SMALL ANIMAL HEALTH CERTIFICATE (RATIFIED CH.0227)	201, 241, 345, 376, 387, 801.
H 425	HEALTH CARE SAMARITANS (RATIFIED CH.0655)	201, 475, 518, 536, 1138,1150, 1174.
H 426	EMPLOYMENT TERMS IN WRITING (REF TO COM ON JUDICIII)	202.
H 427	ATT'Y GENERAL COMMITMENT ROLE (RATIFIED CH.0257)	202, 327, 364, 810, 824, 835.
H 428	MH/DD/SA CARE IN JAILS (RATIFIED CH.0237) (S 770)	202, 252, 650, 701, 811.
H 429	JAILS RECOMMENDATIONS FUNDS (REF TO COM ON APPROP) (S 375)	202.
H 430	INSURANCE TERMINATION CRIMES (REF TO COM ON RULES&) (S 332)	202.
H 431	MEDICAL DATABASE SUNSET (RE-REF COM ON FINANCE) (S 336)	202, 252, 528.
H 432	HEALTH INSURANCE REFORM BLANK (REF TO COM ON RULES&) (S 331)	202.
H 433	MEWA REGULATION (RATIFIED CH.0611) (S 335)	203, 586, 856, 877, 899, 911,1076, 1106, 1115.
H 434	INSURANCE SUBSTANTIVE AMENDS (REF TO COM ON COMMERCE) (S 339)	203.
H 435	AMEND HANDICAPPED DRIVER LAWS (RATIFIED CH.0411)	203, 590, 640, 659, 942, 955,967.
H 436	DRUG OFFENSE ARREST POWERS (RE-REF COM ON APPROP)	203, 581, 622.
H 437	OVERDIMENSION PERMIT VIOLATION (RE-REF COM ON FINANCE) (S 371)	203, 495, 663.
H 438	CONFORM EMPLOYMENT SECURITY LAW (ASSIGNED TO ECO-LBR&) (S 321)	203, 224.
H 439	EMPLOYMENT SECURITY TECH. CHANGE-2 (ASSIGNED TO ECO-LBR&)	203, 224.
H 440	DSS REPRESENTATIVES (RATIFIED CH.0258)	204, 252, 578, 643, 810, 824,836.
H 441	STATE AWARDS SYSTEM (RATIFIED CH.0131)	204, 587, 624, 738.
H 442	PAROLE NOTIFICATION (RATIFIED CH.0288)	204, 436, 473, 485, 504, 834,849, 860.
H 443	FRANCHISE INVESTMENT STUDY (RE-REF COM ON APPROP)	204, 642.
H 444	NONRESIDENT SALES WITHHOLDING (ASSIGNED TO FIN-STAT)	204, 319.
H 445	STATE TAX COLLECTION PROCEDURES (RATIFIED CH.0228)	204, 475, 503, 535, 555, 801.
H 446	RAISE GIFT TAX EXEMPTION (ASSIGNED TO FIN-STAT)	204, 283.
H 447	SCIENCE TECHNOLOGY BOARD-2 (REF TO COM ON SCI&TECH)	204.
H 448	SEDIMENTATION STOP-WORK ORDERS (RATIFIED CH.0412) (S 454)	205, 223, 479, 522, 537, 942,955, 967.
H 449	SEDIMENTATION CONTROL AMENDS (RATIFIED CH.0275) (S 456)	205, 223, 329, 463, 479, 523,542, 848.
H 450	CLARIFY TRADEMARK REGISTRATION (RATIFIED CH.0626) .	205, 725, 788, 806, 828, 1099,1117, 1129.

H 451	NO REAL ESTATE LICENSE DOT AGENT (REF TO COM ON TRANSPOR)	205.
H 452	PUBLIC HEALTH FEES (RATIFIED CH.0656)	205, 251, 318, 432, 586, 614,980, 994, 998, 1018, 1019, 1034, 1052,1174.
H 453	CLARIFY LABOR LAW (RATIFIED CH.0330)	205, 328, 364, 872, 890, 906.
H 454	WAGE AND HOUR ACT FUNDS (REF TO COM ON APPROP)	205.
H 455	CONFORM WAGE AND HOUR LAW (RATIFIED CH.0492)	205, 224, 397, 485, 523, 537,1002, 1027, 1047.
H 456	WAGE AND HOUR ACT ATT'Y FEES (RATIFIED CH.0298)	206, 328, 365, 876.
H 457	DRUG FELONS LOSE SCHOLARSHIPS (Senate)	206, 646, 687, 693.
H 458	CUMBERLAND SOLID WASTE FEES (REPTD TO FINANCE)	206, 283, 582.
H 459	EMPLOYMENT AND TRAINING PROGRAM (REF TO COM ON APPROP) (S 421)	206.
H 460	HMO AMENDMENTS (RATIFIED CH.0195)	206, 238, 394, 506, 591, 783.
H 461	WARRANTY AS INSURANCE CONTRACT (REF TO COM ON JUDICII)	206.
H 462	REVENUE EMPLOYEE SERVE PAPERS (RATIFIED CH.0157)	206, 305, 341, 753.
H 463	REVISE SCHEDULE III/STEROIDS (RATIFIED CH.0413)	206, 497, 541, 562, 942, 955,967.
H 464	SEED FEES REVISED (RATIFIED CH.0588)	207, 314, 363, 375, 1076,1088, 1104.
H 465	COLUMBIA BEER SALES LIMITED (Senate)	207, 457, 483.
H 466	DAY CARE PROVIDER RECORDS (REF TO COM ON JUDICIII)	207.
H 467	PESTICIDE APPLICATOR DEFINITION (RATIFIED CH.0087)	207, 232, 259, 282, 658.
H 468	BEE AND HONEY ACT ENFORCEMENT (RATIFIED CH.0349)	207, 232, 260, 345, 376, 387,887, 908, 923.
H 469	WASTE COMM'N MAY BYPASS COUNCIL (REF TO COM ON ENVIRONM)	207.
H 470	MARIJUANA POSSESSION PENALTIES (REF TO COM ON JUDICIII)	207.
H 471	BINGO AMENDMENTS (RE-REF COM ON FINANCE)	208, 885.
H 472	SANITARY SYSTEM REPAIR-2 (ASSIGNED TO ENV-WAT&)	208, 231.
H 473	PUBLIC LIBRARY POLICIES (Senate)	208, 458, 490, 541.
H 474	OSHA PENALTIES (Senate)	208, 445, 486.
H 475	ENERGY ASSURANCE RECOMMENDATIONS (REF TO COM ON RULES&)	208.
H 476	PUBLIC HEALTH STUDY-1 (RE-REF COM ON APPROP) (S 367)	208, 252, 650.
H 477	DOG AND CAT STERILIZATION (RE-REF COM ON APPROP)	208, 252, 650, 701, 707.
H 478	AMUSEMENT DEVICES (RATIFIED CH.0178)	208, 224, 389, 422, 455, 771.
H 479	ADOPTION CONSENT (RATIFIED CH.0667)	208, 271, 302, 1002, 1143,1166, 1193.
H 480	FORT FISHER FUNDS (REF TO COM ON APPROP)	209.
H 481	INSURANCE DEPARTMENT FEES (REF TO COM ON FINANCE) (S 338)	209.

H 482	THIRD PARTY ADMIN. REWRITE (RATIFIED CH.0627) (S 334)	209, 238, 315, 425, 453, 471,1065, 1088, 1117, 1129.
H 483	CONTINUING CARE AMENDMENTS (RATIFIED CH.0196) (S 311)	209, 238, 315, 526, 556, 577,753, 772, 783.
H 484	RULINGS ON NO CONTEST MOTIONS (REF TO COM ON JUDICII)	209.
H 485	INTERPRETER FEE AUTHORIZATION (RATIFIED CH.0465)	209, 526, 583, 614, 1024.
H 486	RAISE ABC LICENSE TAXES (REF TO COM ON FINANCE)	209.
H 487	AMEND INVESTMENT CREDITS (RATIFIED CH.0637)	209, 983, 1018, 1147.
H 488	WSSU CAPITAL PROJECT (RATIFIED CH.0589) (S 481)	209, 920, 950, 969, 987, 1104.
H 489	UNC-CH EPA PROJECT (REF TO COM ON APPROP) (S 483)	210.
H 490	ECU CAPITAL PROJECT (RATIFIED CH.0590) (S 466)	210, 920, 951, 970, 988, 1104.
H 491	UNC CAPITAL PROJECTS (RATIFIED CH.0657) (S 482)	210, 920, 951, 970, 988, 1100,1117, 1126, 1146, 1174.
H 492	PRINCIPALS EXEC. PROGRAM FUNDS (REF TO COM ON APPROP)	210.
H 493	LOW PERFORMING SCHOOL UNITS (RATIFIED CH.0529) (S 463)	210, 664, 690, 695, 1022,1044, 1069.
H 494	BUSINESS CONTRIBUTE TO EDUCATION (RATIFIED CH.0706)	210, 304, 325, 340, 389, 921, 939, 972, 982, 1187, 1201,1211.
H 495	SCHOOL PERSONNEL EVALUATION (RATIFIED CH.0331)	210, 580, 621, 906.
H 496	STUDENT ACHIEVEMENT ACT (REF TO COM ON EDUCATN) (S 446)	211.
H 497	PUBLIC HEALTH SALARY FUNDS (REF TO COM ON APPROP)	211.
H 498	HEALTH DIRECTOR QUALIFICATIONS (RATIFIED CH.0612)	211, 252, 631, 684, 1093,1108, 1115.
H 499	PUBLIC HEALTH MISSION (RATIFIED CH.0299)	211, 252, 650, 686, 693, 876.
H 500	REPORT CHILD SUPPORT OBLIGOR (REF TO COM ON JUDICII)	211.
H 501	STORMWATER UTILITIES (RATIFIED CH.0591) (S 453)	211, 662, 853, 861, 873, 1076,1089, 1105.
H 502	MUSEUM OF CAPE FEAR FUNDS (REF TO COM ON APPROP)	211.
H 503	BANKING AMENDMENTS (REPTD TO COMMERCE)	212, 261, 1153.
H 504	BANK HOLDING COMPANIES (REPTD TO COMMERCE)	212, 261, 1153.
H 505	RESPITE CARE CHANGE (RATIFIED CH.0332)	212, 251, 318, 342, 364, 389,906.
H 506	CLARIFY LEAD POISONING LAW (RATIFIED CH.0300)	212, 231, 378, 407, 876.
H 507	LOW-LEVEL RAD. WASTE AMENDS (ASSIGNED TO ENV-HAZA) (S 418)	212, 224.
H 508	FELONY TO FORTIFY DRUG HOUSE (Senate)	212, 667, 695, 696.

H 509	STATE PERSONNEL LIABILITY STUDY (REF TO COM ON RULES&)	212.
H 510	CHILD SUPPORT ORDER MODIFIED (REF TO COM ON JUDICIII) (S 383)	213.
H 511	PATERNITY SUIT PROOF BURDEN (REF TO COM ON JUDICIII) (S 382)	213.
H 512	SEDIMENTATION CONTROL COMMISSION (RATIFIED CH.0551)	213, 587, 624, 1041, 1068, 1090.
H 513	ETHNIC INTIMIDATION (RATIFIED CH.0493)	213, 667, 695, 696, 1002, 1027, 1047.
H 514	SEAT BELTS/CRIMINAL PROSECUTIONS (REF TO COM ON JUDICIII)	213.
H 515	WORK ZONE TRAFFIC OFFENSES (Senate)	213, 539, 595.
H 516	UNIFORM TRAFFIC CONTROL DEVICES (RATIFIED CH.0530)	213, 580, 621, 668, 1003, 1028, 1043, 1070.
H 517	PAROLE CHANGES (REF TO COM ON JUDICI) (S 415)	213.
H 518	STATE HEALTH INS. CHANGES (RE-REF COM ON APPROP)	214, 459.
H 519	EMPLOYMENT AGENCY CHARGES (Senate)	214, 224, 622, 626, 668.
H 520	OIL SPILL CLEANUP LIABILITY (RATIFIED CH.0432)	214, 445, 488, 504, 921, 949, 968, 985.
H 521	STATE FAIR BORROWING INCREASE (REF TO COM ON FINANCE)	214.
H 522	CONTEMPT FOR PARENT OF JUVENILE (REPTD UNFAV)	214, 526.
H 523	TRANSMISSION LINE SITING (REF TO COM ON PUBUTILS) (S 417)	214.
H 524	HISTORY MUSEUM CONTRACTS (REPTD UNFAV) .	214, 1005.
H 525	HISTORY MUSEUM DUTIES (POSTPONED INDEFINITELY)	215, 1005.
H 526	DRUG SALES TO YOUTHS (REF TO COM ON JUDICI) ..	215, 639.
H 527	EMERGENCY COMMITMENT CHANGE (REF TO COM ON JUDICI)	215, 639.
H 528	AMEND REPORTING REQUIREMENTS (Senate) ..	215, 558, 598.
H 529	UNDERGROUND STORAGE TANK FUNDS (REF TO COM ON APPROP) (S 406)	215.
H 530	AUCTIONS/AUCTIONEERS ACT (Senate) ...	215, 391, 433, 442.
H 531	MH/DD/SA SERVICES FUNDS-2 (REF TO COM ON APPROP) (S 445)	216.
H 532	CONTROLLED SUBSTANCES SECURITY (RATIFIED CH.0309)	216, 252, 496, 537, 888.
H 533	CONTINUE MENTAL HEALTH STUDY (REF TO COM ON RULES&) (S 408)	216.
H 534	VICTIMS COMPENSATION SUNSET OFF (RATIFIED CH.0301)	216, 313, 342, 377, 876.
H 535	ENHANCE SECURITIES ENFORCEMENT (REF TO COM ON JUDICIII) (S 245)	216.
H 536	STATUTORY RAPE REDEFINED (REF TO COM ON RULES&)	216.
H 537	OCEAN AFFAIRS COUNCIL (REF TO COM ON STATGOVT) (S 389)	216.
H 538	BLOCK GRANT FUNDING FOR SCHOOLS (REF TO COM ON APPROP) (S 435)	217.
H 539	TRIPPLICATE PRESCRIPTION PADS (REF TO COM ON HUMRES)	217.
H 540	CHILD NEGLECT DRUG EXPOSURE (RE-REF COM ON APPROP)	217, 566.

H 541	DISCLOSE ENVIRONMENTAL LIMITS (Senate)	217, 237, 512, 564, 588.
H 542	CHILD SUPPORT REFORM (Senate) (S 464)	217, 252, 932, 997, 1188, 1200.
H 543	MORRESVILLE SCHOOL BOUNDARIES (REF TO COM ON LOC&RGII)	217.
H 544	NON-TAX-PAID FUEL PENALTY (RATIFIED CH.0613)	217, 452, 489, 1085, 1106, 1115.
H 545	ANGIER ABC PROFIT AUDITS (RATIFIED CH.0075)	217, 249, 269, 532.
H 546	BIRTH IMPAIRMENT FUND (REF TO COM ON COURTS&) (S 718)	218.
H 547	INDEMNIFY TAX OFFICIAL (RATIFIED CH.0674)	218, 305, 341, 1194.
H 548	LEGISLATURE COVERAGE FUNDS (REF TO COM ON APPROP)	218.
H 549	CLARIFY PERSONNEL ACT SCOPE (REF TO COM ON PUBEMP) (S 439)	218.
H 550	AGRICULTURAL FAIRS COUNCIL (REF TO COM ON STATGOVT)	218.
H 551	CLEAN AIR ACT IMPLEMENTED (RATIFIED CH.0552) ..	218, 223, 494, 794, 806, 815, 1077, 1090.
H 552	SUSPEND LICENSE/DRUG FELONY (Senate)	218, 318, 412, 506, 538, 638, 682.
H 553	TOBACCO CHECK-OFF (RATIFIED CH.0102)	219, 304, 379, 407, 422, 430, 719.
H 554	AQUATIC WEED CONTROL (RATIFIED CH.0132) (S 455)	219, 317, 478, 522, 738.
H 555	EMPLOYMENT DISCRIMINATION STUDY (RE-REF COM ON RULES&)	219, 224, 761, 843.
H 556	HEARING AID DEALER FEES (RATIFIED CH.0592)	219, 962, 1013, 1032, 1105.
H 557	NO GAS PRICE DISCRIMINATION (RE-REF COM ON RULES&)	219, 1111.
H 558	ONE-ON-ONE PROGRAMS FUNDS (REF TO COM ON APPROP)	219.
H 559	FIRE INSPECTOR TECH. AMEND (RATIFIED CH.0133)	219, 318, 426, 444, 738.
H 560	MECKLENBURG ASST. DA FUNDS (REF TO COM ON APPROP) (S 235)	219.
H 561	COMPANY POLICE ACT (RE-REF COM ON FINANCE)	220, 735.
H 562	COUNCIL ON STATUS OF WOMEN (RATIFIED CH.0134)	220, 317, 449, 489, 718, 730, 738.
H 563	ACTION UNDER CIVIL RIGHTS ACT (RATIFIED CH.0433)	220, 646, 672, 887, 949, 968, 985.
H 564	DIETETICS/NUTRITION PRACTICE ACT (RATIFIED CH.0668) (S 264)	220, 253, 940, 998, 1039, 1073, 1095, 1155, 1166, 1193.
H 565	BANK CHANGES (REPTD TO COMMERCE)	220, 261, 1153.
H 566	HEARING AID BOARD CHANGES (REF TO COM ON STATGOVT)	220.
H 567	INCREASE ABC PERMIT TAX (REF TO COM ON FINANCE)	220.
H 568	ABC TAXES INCREASED (REF TO COM ON FINANCE) ...	221.
H 569	COMMUNITY COLLEGE PERSONNEL (RATIFIED CH.0084) (S 262)	221, 285, 396, 422, 454, 632.
H 570	MARINE FISHERIES AMENDMENTS (RATIFIED CH.0135)	221, 240, 244, 493, 542, 738.
H 571	UNC FISCAL RESPONSIBILITY (REF TO COM ON RULES&)	221.

H 572	INACTIVE SITE CLEANUP DISCRETION (Senate) (S 377)	221, 232, 272, 302.
H 573	GUILFORD SCHOOL REORGANIZATION AMEND (TABLED) (S 457)	225, 314, 315, 381, 393, 436,468, 501, 553, 681, 706.
H 574	FOSCOE INCORPORATED (RATIFIED CH.0553) .	225, 249, 328, 373, 384, 1041,1066, 1090.
H 575	SCHOLARSHIPS, VETERANS' CHILDREN (Senate)	225, 317, 651, 686.
H 576	TRANSFER COMMUNITY PENALTIES (REF TO COM ON COURTS&) (S 465)	225.
H 577	PINEHURST ANNEXATION (RATIFIED CH.0466)	225, 249, 306, 323, 338, 657, 979, 985, 1007, 1024.
H 578	LAW ENFORCEMENT STUDY BLANK (REF TO COM ON RULES&)	225.
H 579	RSVP PROGRAM FUNDS (REF TO COM ON APPROP)	227.
H 580	BANK SOUNDNESS INFORMATION (RE-REF COM ON RULES&)	227, 262, 1073.
H 581	FIVE-YEAR DRIVERS LICENSE (RE-REF COM ON FINANCE) (S 471)	227, 438.
H 582	CLARIFY SPIN-OFF RULE (RATIFIED CH.0179)	228, 301, 313, 771.
H 583	KINSTON-LENOIR TOURISM AUTHORITY (RATIFIED CH.0076)	228, 249, 270, 533.
H 584	ALBEMARLE JAIL TRANSPORTATION (RATIFIED CH.0371)	228, 493, 533, 887, 916, 923,944.
H 585	BRUNSWICK ABC STORE LOCATION (RATIFIED CH.0372)	228, 237, 495, 544, 613, 904,923, 944.
H 586	BRUNSWICK BOARD TERMS (RATIFIED CH.0373)	228, 623, 659, 887, 919, 938,944.
H 587	LOCAL JET SKI REGULATIONS (RATIFIED CH.0494)	228, 249, 281, 300, 872, 919,952, 1036, 1037, 1047.
H 588	HOSPITAL MUST ITEMIZE CHARGES (RATIFIED CH.0310)	228, 253, 631, 680, 888.
H 589	NC MAY EXCEED U.S. AIR/WATER REGS.-2 (ASSIGNED TO ENV-WAT&) (S 386)	228, 237.
H 590	NO OPENED ALCOHOL IN CARS (RE-REF COM ON JUDICI)	229, 642, 685.
H 591	ROCKINGHAM OCCUPANCY TAX (Senate) (S 469)	238, 379, 447, 468, 482, 500.
H 592	WASHINGTON OCCUPANCY TAX (RATIFIED CH.0158)	238, 315, 410, 430, 441, 754.
H 593	HOLLY RIDGE SOLID WASTE FEE (REPTD TO FINANCE) (S 496)	238, 283, 582.
H 594	NEWSPAPER INSERT NOT TAX EXEMPT (REF TO COM ON FINANCE)	239.
H 595	MEHERRIN INDIAN COMM'N MEMBER (RATIFIED CH.0467) (S 462)	239, 318, 587, 590, 627, 1024.
H 596	POLYSTYRENE USE STUDY (RE-REF COM ON RULES&)	239, 457, 529, 812.
H 597	SBI DAY CARE ABUSE TASK FORCE (RATIFIED CH.0593)	239, 539, 595, 1077, 1089,1105.
H 598	PASQUOTANK ROAD HUNTING (RATIFIED CH.0247)	239, 457, 626, 633, 753, 805,813, 826.
H 599	SCHOOL TENURE CHANGES (Senate) ..	239, 540, 595, 636, 714.
H 600	CARY FIREFIGHTER BENEFITS (RATIFIED CH.0147)	239, 392, 561, 575, 743.

H 601	RAILROAD CORRIDOR INTERIM USE (RATIFIED CH.0751)	240, 413, 580, 644, 1183,1198, 1222, 1230, 1240, 1245.
H 602	LINCOLN/MACON COMMISSIONER VACANCY (RATIFIED CH.0395)	240, 379, 408, 455, 490, 954.
H 603	GRANVILLE HUNTING PERMITS (RATIFIED CH.0159)	240, 304, 391, 418, 429, 754.
H 604	MOTOR VEHICLE SURETY BONDS (RATIFIED CH.0495)	240, 413, 539, 589, 1003,1028, 1047.
H 605	JUVENILE COMMITMENT PROCEDURE (RATIFIED CH.0434)	240, 545, 596, 937, 946, 960,977, 980, 985.
H 606	DRIVER LICENSE COMPACT (RE-REF COM ON JUDICII)	240, 638, 670.
H 607	WILLIAMSTON ELECTION METHOD (RATIFIED CH.0374)	244, 304, 323, 887, 919, 938,944.
H 608	BALD HEAD/STALLINGS POST OFFICE (RATIFIED CH.0350)	244, 304, 324, 888, 908, 923.
H 609	HIGH POINT OCCUPANCY TAX (REF TO COM ON FINANCE) (S 484)	244.
H 610	MARTIN COMMISSIONERS ELECTION (RATIFIED CH.0302)	244, 304, 339, 876.
H 611	ALEXANDER/GUILFORD SCHOOL ELECTIONS (RATIFIED CH.0695)	245, 305, 324, 1093, 1150,1197, 1210.
H 612	LAW ENFORCEMENT PAY CONTINUATION (RE-REF COM ON APPROP)	245, 802, 853.
H 613	DWI CIVIL LICENSE REVOCATION (REF TO COM ON JUDICIII)	245.
H 614	WAKE SENIOR CENTER FUNDS (REF TO COM ON APPROP)	245.
H 615	NO STACKING OF UIM INSURANCE (REF TO COM ON COMMERCE) (S 38)	245.
H 616	CHILD NAME CHANGE (RATIFIED CH.0333)	245, 626, 665, 906.
H 617	CLEVELAND SCHOOL PAY DAY (RATIFIED CH.0311)	245, 305, 339, 888.
H 618	SEABOARD RENOVATION FUNDS (REF TO COM ON APPROP)	246.
H 619	C.S. BROWN SCHOOL FUNDS (REF TO COM ON APPROP)	246.
H 620	RECYCLE LEAD-ACID BATTERIES (RATIFIED CH.0375)	246, 251, 546, 597, 921, 939,944.
H 621	CONTINUING INSURANCE EDUCATION (RATIFIED CH.0554)	246, 262, 475, 521, 1041,1068, 1090.
H 622	EXEMPT CERTAIN CAR DONATIONS (REF TO COM ON FINANCE)	246.
H 623	COLUMBUS/BRUNSWICK SOLID WASTE (RATIFIED CH.0334)	253, 305, 326, 834, 855, 873,889, 906.
H 624	BURKE/FORSYTH/MCDOWELL DEVELOPMENT (RATIFIED CH.0496) (S 490) ...	253, 379, 405, 1003, 1026,1047.
H 625	IREDELL DISPOSAL FEES (REPTD TO FINANCE)	253, 283, 582.
H 626	PITT SOLID WASTE FEES (REPTD TO FINANCE)	253, 284, 582.
H 627	HEALTH SERVICES COMM'N MEMBERS (Senate)	254, 433, 631, 687.
H 628	LIMIT STUDENT WORK HOURS (Senate)	254, 270, 317, 641, 670, 672,712, 721, 733.
H 629	WILDERNESS CAMPING FUNDS (REF TO COM ON APPROP) (S 345)	254.
H 630	BRUNSWICK REDISTRICTING (Senate)	254, 843, 873.
H 631	BRUNSWICK TOWN SITE FUNDS (REF TO COM ON APPROP)	254.

H 632	UNITED CEREBRAL PALSY FUNDS (REF TO COM ON APPROP)	254.
H 633	TURF GRASS/FORAGE ASSESSMENT STUDY (RE-REF COM ON APPROP) (S 702)	254, 316, 462.
H 634	OXFORD CONVEY PROPERTY (RATIFIED CH.0197)	254, 392, 419, 783.
H 635	RALEIGH AUTO TAX INCREASE (RATIFIED CH.0229)	255, 345, 372, 385, 801.
H 636	EXEMPT CELLULAR PHONES (POSTPONED INDEFINITELY) (S 551) .	255, 593, 626, 627, 663.
H 637	GUILFORD COMM'RS RESTRUCTURED (RATIFIED CH.0136) (S 512)	255, 410, 452, 483, 502, 738.
H 638	MONTREAT EXTRATERRITORIAL (RATIFIED CH.0248)	262, 446, 473, 541, 826.
H 639	15% CUT HIGH-PAID EMPLOYEES (REF TO COM ON APPROP)	262.
H 640	ADOPTION EXPENSES (RATIFIED CH.0335)	262, 487, 523, 906.
H 641	BID LIMITS/ALAMANCE COURTHOUSE (Senate)	263, 552, 575, 1077, 1080.
H 642	INCORPORATE CHIMNEY ROCK VILLAGE (RATIFIED CH.0444)	263, 446, 526, 553, 573, 1007.
H 643	LOW-LEVEL WASTE FACILITY SITE (REF TO COM ON PUBUTILS) (S 514)	263.
H 644	WASTE COMPACT THIRD HOST STATE (FAILED 2ND READING) (S 513) .	263, 272, 512, 562, 616, 666.
H 645	WASTE COMPACT COMM'N MEMBERSHIP (FAILED 2ND READING) (S 515)	263, 272, 512, 564.
H 646	RICHMOND, SCOTLAND BLANK BILL (REF TO COM ON RULES&)	263.
H 647	RICHMOND BLANK BILL (REF TO COM ON RULES&)	263.
H 648	COLUMBUS SOLID WASTE FEES (REPTD TO FINANCE)	263, 381, 582.
H 649	PERQUIMANS BLANK BILL-1 (REF TO COM ON RULES&)	264.
H 650	PERQUIMANS BLANK BILL-2 (REF TO COM ON RULES&)	264.
H 651	MANTEO ANNEXATION (REF TO COM ON LOC&RGI)	264.
H 652	REGISTER VACANCY MODIFICATION (RATIFIED CH.0376)	264, 493, 534, 835, 916, 924, 944.
H 653	RANDOLPH TAX COMMISSION (RATIFIED CH.0211)	264, 390, 653, 692, 790.
H 654	CIVIL JUSTICE ACT FUNDS (REF TO COM ON APPROP) ..	264.
H 655	VOTER LIST INFORMATION (Senate)	265, 452, 489.
H 656	NC RURAL WATER ASS'N FUNDS (REF TO COM ON APPROP)	265.
H 657	INCORPORATE WHITSETT (REF TO COM ON LOC&RGI) (S 505)	265.
H 658	MODEL YEAR LICENSE PLATES (ASSIGNED TO TRAN-PUB)	265, 413.
H 659	ON SLOW HUNTING SAFETY (RATIFIED CH.0435) (S 499)	265, 390, 430, 799, 813, 871, 961, 979, 985.
H 660	ON SLOW ORDINANCE PENALTY (Senate) (S 555)	265, 379, 405.
H 661	CLAY SCHOOL ELECTIONS (REF TO COM ON LOC&RGI) .	265.
H 662	UNCLAIMED PROPERTY CHANGES (RATIFIED CH.0531)	266, 285, 413, 435, 835, 847, 999, 1060, 1070.
H 663	ROCKY MOUNT FIREMEN'S FUND (RATIFIED CH.0497)	266, 561, 613, 1047.
H 664	FARMVILLE DE-ANNEXATION (RATIFIED CH.0377)	266, 391, 447, 471, 944.

H 665	INCORPORATE SUMMERFIELD (REF TO COM ON LOC&RGI)	266.
H 666	DELAY SEDGE GARDEN ANNEXATION (REF TO COM ON LOC&RGI)	266.
H 667	NONSURFACE DISCHARGE NOTICE (RATIFIED CH.0498)	266, 272, 528, 594, 1003,1029, 1047.
H 668	SOUTHPORT TAX COLLECTOR (RATIFIED CH.0303)	266, 379, 406, 876.
H 669	MERGED UNIT SUPPLEMENTAL TAX-1 (REF TO COM ON FINANCE)	266.
H 670	ANNEX MECK NECK TO IREDELL (REF TO COM ON LOC&RGII)	267.
H 671	VOTER LIST SALE RESTRICTED (RE-REF COM ON COURTS&)	267, 509, 560, 616, 661.
H 672	CUMBERLAND SCHOOL FILING (RATIFIED CH.0445)	267, 392, 419, 1007.
H 673	TYPOGRAPHICAL ERROR CORRECTED (RATIFIED CH.0658)	267, 433, 680, 701, 1126,1149, 1174.
H 674	JONESVILLE/ARLINGTON MERGED (RATIFIED CH.0499) .	267, 379, 527, 574, 612, 1003,1026, 1047.
H 675	WATTS WASTE SITE FUNDS (REF TO COM ON APPROP) .	267.
H 676	HALIFAX SCHOOL TERMS (RATIFIED CH.0097) (S 610)	267, 420, 430, 711.
H 677	TEACHER EDUC. CONSORTIUM FUNDS (REF TO COM ON APPROP)	267.
H 678	BURLINGTON SURPLUS PROPERTY (RATIFIED CH.0198)	268, 379, 406, 783.
H 679	DRUG OFFENSE NEAR SCHOOL (Senate)	273, 411, 434.
H 680	BURKE JAIL EXEMPTION (RATIFIED CH.0137)	273, 379, 406, 419, 738.
H 681	VALDESE ANNEX CAROLINA MILLS (RATIFIED CH.0396)	273, 391, 448, 469, 482, 954.
H 682	INCREASE LOCAL ORDINANCE FINE (RATIFIED CH.0446)	274, 446, 470, 965, 987, 1007.
H 683	WILMINGTON ZONING DENSITY BONUS (Senate) (S 569)	274, 392, 419.
H 684	ECONOMIC DEVELOPMENT CONSIDERATION (RATIFIED CH.0659) 274, 493, 534, 1077, 1112,1123, 1142, 1175.	
H 685	SURRY PROPERTY TAX DISCOUNTS (RATIFIED CH.0148)	274, 447, 470, 743.
H 686	WALNUT COVE CHARTER REVISED (RATIFIED CH.0447)	274, 623, 633, 1007.
H 687	REPEAL TAX CAP BOATS & AIRCRAFT (REF TO COM ON FINANCE)	274.
H 688	MARTIN OCCUPANCY TAX (RATIFIED CH.0080)	274, 345, 374, 385, 551.
H 689	MADISON COUNTY SCHOOL ELECTIONS (RATIFIED CH.0249)	274, 410, 441, 451, 799, 813,826.
H 690	INDIGENT COUNSEL REGULATIONS (RATIFIED CH.0304)	275, 445, 488, 876.
H 691	SALISBURY FIREMEN'S FUND (RATIFIED CH.0259)	275, 552, 619, 633, 836.
H 692	FIRE/RESCUE DISABILITY BENEFIT (RE-REF COM ON APPROP)	275, 853.
H 693	CIGARETTE MANUFACTURER'S TAX (REF TO COM ON FINANCE)	275.
H 694	GREENVILLE UTILITIES COMMISSION (POSTPONED INDEFINITELY) (S 577)	275, 765.

H 695	STATE BOARD OF EDUC. APP'TS (RATIFIED RES.11)	275, 411, 437, 456, 514.
H 696	FINANCIAL INSTITUTIONS STUDY (REF TO COM ON RULES&)	275.
H 697	LEGISLATIVE OATH CHANGED (REF TO COM ON RULES&)	276.
H 698	PROFESSIONAL GAMBLING FELONY (REF TO COM ON JUDICIII)	276.
H 699	FAYETTEVILLE FIREMEN'S FUND (RATIFIED CH.0149)	276, 525, 629, 659, 743.
H 700	LRC STUDY PUBLIC TRANSPORTATION (REF TO COM ON RULES&)	276.
H 701	ROBESON SCHOOL BOARD (RATIFIED CH.0614)	276, 457, 484, 1085, 1101,1115.
H 702	ROBESON LOCAL REDISTRICTING (RATIFIED CH.0500)	276, 814, 826, 1048.
H 703	WAKE OCCUPANCY/MEALS TAX (RATIFIED CH.0594) (S 601)	276, 932, 951, 990, 1010,1105.
H 704	WAKE REVENUE BLANK-2 (REF TO COM ON RULES&) (S 602)	276.
H 705	WAKE REVENUE BLANK-3 (REF TO COM ON RULES&) (S 603)	277.
H 706	WAKE REVENUE BLANK-4 (REF TO COM ON RULES&) (S 604)	277.
H 707	POLK LAND TRANSFER TAX (ASSIGNED TO FIN-STAT)	277, 919.
H 708	VEHICLE LIEN PERFECTION DATE (RATIFIED CH.0414)	277, 579, 620, 942, 955, 967.
H 709	AUTOMATED CHEMICAL TESTING (RE-REF COM ON APPROP)	277, 476, 749.
H 710	MOBILE HOME TITLES RECORDED (REPTD TO TRANSPOR)	277, 413, 578.
H 711	CHANGE NAME OF LOCAL ROAD (RATIFIED CH.0378)	277, 447, 470, 944.
H 712	PAMLICO ROAD HUNTING (RATIFIED CH.0138)	278, 447, 470, 738.
H 713	METRO SEWERAGE DISTRICT OFFICERS (RATIFIED CH.0351)	278, 623, 664, 923.
H 714	FIRE/RESCUE SQUAD PURCHASING (RATIFIED CH.0199)	278, 318, 426, 506, 540, 557,588, 783.
H 715	FIRE HYDRANTS EVERY 1,000 FEET (RE-REF COM ON APPROP)	278, 623.
H 716	INMATE INCENTIVE PAY (REF TO COM ON APPROP)	278.
H 717	LICENSE RENTAL CAR AGENTS (RATIFIED CH.0139)	278, 450, 475, 508, 521, 738.
H 718	AIRCRAFT MAINT. EQUIP. SALES TAX (REF TO COM ON FINANCE) (S 673)	278.
H 719	MUNICIPAL AIRPORT AUTHORITIES (RATIFIED CH.0501)	279, 413, 463, 507, 1048.
H 720	AMEND DURHAM FAIR HOUSING (RATIFIED CH.0379)	279, 392, 419, 945.
H 721	DURHAM CITY/COUNTY DISCRIMINATION (Senate)	279, 392, 419.
H 722	DURHAM DEVELOPMENT PLANS (RATIFIED CH.0380)	279, 392, 420, 945.
H 723	DURHAM ORDINANCE PENALTIES (Senate)	279, 393, 492, 533, 551.
H 724	CLARIFY IMMUNIZATION LAW (RATIFIED CH.0381)	279, 433, 631, 670, 904, 924,945.

H 725	VOLUNTEER RESCUE/EMS GRANTS (Senate)	279, 396, 475, 508, 837, 852.
H 726	GOLDSBORO OCCUPANCY TAX USE (RATIFIED CH.0555)	279, 380, 702, 724, 746, 755, 1090.
H 727	TARBORO ANNEXATION (RATIFIED CH.0305)	280, 457, 484, 876.
H 728	LIENS FOR RESCUE SQUAD SERVICES (RATIFIED CH.0595)	280, 511, 562, 1105.
H 729	PORK PROMOTION ASSESSMENT (RE-REF COM ON FINANCE) (S 669)	280, 316, 394.
H 730	PASQUOTANK LAND LEASE (RATIFIED CH.0382)	280, 447, 470, 945.
H 731	LRC STUDY GOVERNOR'S POWERS (REF TO COM ON RULES&)	280.
H 732	LRC STUDY CROP DEPREDATION (REF TO COM ON RULES&)	280.
H 733	CABARRUS LOCAL DEVELOPMENT (Senate) (S 566)	280, 565, 632.
H 734	COLLEGIATE REGISTRATION PLATES (RATIFIED CH.0758)	286, 495, 672, 703, 829, 885, 927, 957, 975, 1180, 1198, 1247, 1248, 1252, 1255.
H 735	BUMCOMBE PREDEVELOPMENT (RATIFIED CH.0250)	286, 544, 575, 826.
H 736	NEW HANOVER BLANK BILL-4 (REF TO COM ON RULES&)	286.
H 737	WILMINGTON RESTRICTIVE COVENANTS (RATIFIED CH.0383) (S 619) ..	286, 393, 420, 835, 917, 924, 945.
H 738	WILMINGTON/PENDER PROPERTY MATTERS (RATIFIED CH.0615)	286, 457, 484, 1085, 1101, 1122.
H 739	HOLDEN BEACH ANNEXATION VOTE (RATIFIED CH.0638)	286, 649, 675, 1147.
H 740	BRUNSWICK CC SECURITY INTERESTS (RATIFIED CH.0616) (S 594) ..	286, 317, 545, 596, 1085, 1106, 1115.
H 741	EXCEPTIONAL CHILDREN FORMULA (RE-REF COM ON APPROP)	287, 446.
H 742	MOUNTAIN PLANNING ACT (REF TO COM ON ENVIRONM)	287, 309.
H 743	COMMUNITY COLLEGE BOARD ELECTION (RATIFIED RES.12) (S 593)	287, 394, 422, 644, 674.
H 744	SCHOOL EMPLOYEE SICK LEAVE BANKS (RE-REF COM ON APPROP)	287, 750, 778, 853.
H 745	MILITARY TAX GRACE PERIOD (RATIFIED CH.0160)	287, 391, 429, 443, 754.
H 746	STATE RECYCLING AT PUBLIC AREAS (RATIFIED CH.0336)	287, 316, 585, 645, 906.
H 747	MECKLENBURG TOWNS ETJ (RATIFIED CH.0161)	288, 393, 420, 452, 741, 745, 754.
H 748	SPEAKER'S APPOINTMENTS-2 (RATIFIED CH.0759)	288, 1247, 1255.
H 749	TEACH SEXUAL ABSTINENCE (REPTD TO EDUCATN)	288, 438, 642.
H 750	ABSENTEE BALLOTS/GUARDIANS (RATIFIED CH.0337)	288, 452, 489, 907.
H 751	FULL-TIME REGISTRATION (POSTPONED INDEFINITELY)	288, 452.
H 752	ELECTIONS BOARD COMPENSATION (RATIFIED CH.0338)	288, 460, 518, 907.
H 753	INDEMNIFICATION HOSP.SERV.CORP. (REPTD UNFAV)	288, 487, 520, 828.

H 754	VOCATIONAL EDUCATION EQUIPMENT (RATIFIED CH.0570)	288, 664, 695, 1092.
H 755	ATLANTIC BEACH ANNEXATION (REF TO COM ON LOC&RGII)	289.
H 756	DUNN ANNEXATION (RATIFIED CH.0556)	289, 457, 527, 553, 573, 1091.
H 757	DUNN FACILITY FEES (RATIFIED CH.0660)	289, 393, 448, 469, 483, 1100, 1114, 1125, 1130, 1137, 1175.
H 758	CITY REQUIRE GARBAGE COLLECTION (POSTPONED INDEFINITELY)	289, 316, 478, 522.
H 759	HARNETT SOLID WASTE FEES (REPTD TO FINANCE)	289, 381, 582.
H 760	HARNETT TOWNS FEES (RATIFIED CH.0502)	289, 457, 484, 953, 1001, 1025, 1048.
H 761	SMALL EMPLOYER GROUP HEALTH INS. (REF TO COM ON COMMERCE) (S 571)	289.
H 762	GREENSBORO/HIGH POINT ROOM TAX (Senate)	290, 345, 373, 384.
H 763	DURHAM CHARTER AMENDMENTS (RATIFIED CH.0532)	290, 544, 575, 1038, 1043, 1070.
H 764	DURHAM DENSITY BONUS (RATIFIED CH.0503)	290, 544, 575, 1048.
H 765	DURHAM COUNTY IMPACT FEES (Senate)	290, 951, 1042, 1053, 1094, 1108.
H 766	WILSON JAIL CONSTRUCTION (RATIFIED CH.0200)	290, 393, 420, 783.
H 767	RESTAURANT ABC PERMITTEES (FAILED 2ND READING)	290, 445, 488.
H 768	CAPE FEAR COMM. COLLEGE FUNDS (REF TO COM ON APPROP) (S 568)	290.
H 769	NEW HANOVER BLANK BILL-1 (REF TO COM ON RULES&) (S 521)	290.
H 770	ABC CATERING SERVICE PERMIT (RATIFIED CH.0669)	291, 856, 899, 911, 1155, 1166, 1193.
H 771	WORKERS' COMP. INJURY DEFINED (FAILED 2ND READING)	291, 475, 508, 542.
H 772	WILMINGTON ZONING CONDITIONS (Senate) ...	291, 458, 484.
H 773	MT. HOLLY/STANLEY ETJ (REF TO COM ON RULES&) ..	291.
H 774	WATAUGA HOSPITAL SINGLE PRIME (RATIFIED CH.0201)	291, 461, 502, 783.
H 775	ALLEGHANY OCCUPANCY TAX (RATIFIED CH.0162)	291, 345, 374, 386, 754.
H 776	W-S/FORSYTH SCHOOL ELECTIONS (RATIFIED CH.0696) ...	291, 1101, 1141, 1152, 1183, 1197, 1210.
H 777	RALEIGH CHARTER AMENDED (RATIFIED CH.0312)	291, 461, 586, 613, 632, 889.
H 778	BRUNSWICK BLANK-3 (REF TO COM ON RULES&)	291.
H 779	BRUNSWICK BLANK-1 (REF TO COM ON RULES&)	292.
H 780	BRUNSWICK BLANK-2 (REF TO COM ON RULES&)	292.
H 781	BRUNSWICK BLANK-4 (REF TO COM ON RULES&)	292.
H 782	ETJ/SATELLITE AREA (RATIFIED CH.0289)	292, 525, 554, 799, 834, 849, 860.
H 783	HYDE LAND TRANSFER TAX (REF TO COM ON FINANCE)	292.
H 784	HYDE OCCUPANCY TAX (RATIFIED CH.0230)	292, 477, 501, 515, 801.
H 785	PAMLICO SCHOOL BOARD DONATION (RATIFIED CH.0313)	292, 447, 471, 889.

H 786	WATER/SEWER ORDINANCE PENALTY (RATIFIED CH.0415)	292, 452, 490, 967.
H 787	CANDIDATES FINANCING FUND (RATIFIED CH.0397)	293, 511, 562, 954.
H 788	OPTIONS FOR BOND REQUIREMENTS (RATIFIED CH.0212)	293, 395, 475, 519, 790.
H 789	GASTONIA CHARTER REVISED (RATIFIED CH.0557)	293, 600, 703, 724, 730, 738,1091.
H 790	FAISON/BELMONT ZONING JURISDICTION (RATIFIED CH.0596)	293, 461, 485, 1064, 1087,1105.
H 791	PITT BLANK (REF TO COM ON RULES&)	293.
H 792	GREENE BLANK (REF TO COM ON RULES&)	293.
H 793	PENDER BLANK (REF TO COM ON RULES&)	293.
H 794	SAMPSON/RICHMOND SCHOOL LEASES (RATIFIED CH.0533)	293, 447, 471, 1038, 1042,1070.
H 795	SAMPSON/BLADEN ELECTROFISHING (RATIFIED CH.0140)	294, 565, 632, 738.
H 796	PENDER/SAMPSON VACANCIES (RATIFIED CH.0558)	294, 411, 435, 937, 946, 964,1063, 1065, 1091.
H 797	AUTRYVILLE CHARTER REVISED (RATIFIED CH.0384)	294, 461, 485, 945.
H 798	SAMPSON ROAD HUNTING (RATIFIED CH.0141)	294, 461, 485, 738.
H 799	SAMPSON DISPOSAL FEES (REPTD TO FINANCE)	294, 381, 582.
H 800	NORWOOD CORPORATE LIMITS (RATIFIED CH.0468)	294, 461, 527, 554, 574, 1024.
H 801	STANLY SUBDIVISIONS (RATIFIED CH.0504)	294, 565, 633, 1003, 1026,1048.
H 802	LAUREL PARK ASSESSMENTS (RATIFIED CH.0559)	294, 552, 703, 724, 732, 739,1091.
H 803	REPEAL PENDER TRAPPING LAW (REF TO COM ON LOC&RGII)	295.
H 804	PENDER STREAM ENFORCEMENT (REF TO COM ON LOC&RGII)	295.
H 805	PENDER ORDINANCE PENALTY-1 (REF TO COM ON FINANCE)	295.
H 806	CATAWBA WEAPON FEE (RATIFIED CH.0231)	295, 393, 418, 429, 801.
H 807	CONOVER FIREMEN'S FUND (RATIFIED CH.0260)	295, 393, 561, 576, 836.
H 808	ASHE OCCUPANCY TAX (RATIFIED CH.0163)	295, 345, 375, 386, 754.
H 809	HIGHWAY LAWS APPLY IN SEVEN LAKES (RATIFIED CH.0597)	295, 552, 576, 612, 1081,1087, 1105.
H 810	MOORE TOWNS STUDY ANNEXATION (Senate) .	295, 552, 575.
H 811	MADISON TAX COLLECTOR TERM (RATIFIED CH.0251)	296, 447, 471, 826.
H 812	ST. PAULS CHARTER BLANK (REF TO COM ON RULES&)	296.
H 813	HOKE BLANK (REF TO COM ON RULES&)	296.
H 814	ROBESON BLANK (REF TO COM ON RULES&)	296.
H 815	SCOTLAND BLANK (REF TO COM ON RULES&)	296.
H 816	DAVIDSON/3RD DEGREE TRESPASS (RATIFIED CH.0252)	296, 552, 575, 777, 805, 814,826.
H 817	EMERALD ISLE BEACH ACCESS (REF TO COM ON ENVIRONM) (S 634)	296.
H 818	TEACHERS MAY CONVERT LEAVE (RE-REF COM ON APPROP)	296, 907, 946.

H 819	BRUNSWICK COUNTY AIRPORT COMM'N. (RATIFIED CH.0385)	296, 525, 554, 945.
H 820	FORSYTH MEALS TAX (REF TO COM ON FINANCE)	297.
H 821	AMEND NATURAL DEATH ACT (RATIFIED CH.0639)	297, 414, 435, 443, 454, 1093,1122, 1127, 1147.
H 822	PERSONAL WATERCRAFT RESTRICTIONS (REF TO COM ON JUDICI)	297.
H 823	BURLINGTON/GRAHAM ABC SALES (REF TO COM ON LOC&RGII)	297.
H 824	DURHAM TRANSPORTATION AUTH. (RATIFIED CH.0560)	297, 525, 554, 1091.
H 825	DURHAM CITY MANAGER (RATIFIED CH.0617)	297, 525, 554, 1093, 1106,1116.
H 826	INCREASE AUTO LIABILITY LIMITS (RATIFIED CH.0469) (S 494)	307, 479, 566, 637, 872, 889,941, 987, 1009, 1024.
H 827	UNDERAGE ABC SALE PENALTY (REF TO COM ON JUDICIII)	307.
H 828	TEACHER INPUT, SCHOOL PLANS (REF TO COM ON EDUCATN) (S 748)	307, 630, 680, 1022.
H 829	MARITAL PROPERTY PRESUMPTION (Senate) ...	307, 487, 523.
H 830	CAMPAIGN FINANCE LAW EXTENDED (REPTD UNFAV)	307, 663.
H 831	SMALL SCHOOL SYSTEM FUNDING (REF TO COM ON APPROP)	307.
H 832	PROHIBIT IMPAIRED HUNTING (Senate) ...	307, 626, 665, 680.
H 833	ADOPT NAVIGATION RULES (REF TO COM ON TRANSPOR)	308.
H 834	SAFE BOATING COMMITTEE (RE-REF COM ON RULES&)	308, 413, 494, 546, 886.
H 835	MUTUAL INSURER DISCLOSURE (ASSIGNED TO COM-INSU)	308, 395.
H 836	MOTORBOAT LICENSES (REF TO COM ON TRANSPOR) ..	308.
H 837	POLITICAL PRESSURE/EMPLOYEES (RATIFIED CH.0505)	308, 642, 671, 1003, 1028,1048.
H 838	PENALTY FOR CROP DESTRUCTION (RATIFIED CH.0534)	308, 458, 490, 541, 638, 683,1022, 1045, 1070.
H 839	CREDIT INSURANCE PREMIUM RATES (ASSIGNED TO COM-INSU)	308, 395.
H 840	CREDIT ACCIDENT & HEALTH INSUR. (ASSIGNED TO COM-INSU)	308, 395.
H 841	GROUP LIFE INSURANCE (ASSIGNED TO COM-INSU)	308, 395.
H 842	STUDY ABC STORE PRIVATIZATION (REF TO COM ON RULES&)	319.
H 843	STRENGTHEN DWI LAWS (Senate)	319, 511, 563, 591.
H 844	CEMETERY TAX EXEMPTION (ASSIGNED TO FIN-LOC&)	319, 983.
H 845	UNDERINSURED MOTORIST COVERAGE (REF TO COM ON COMMERCE)	320.
H 846	INSURANCE PREMIUM FINANCING (Senate)	320, 395, 475, 519, 542.
H 847	DWI BLOOD ALCOHOL TO 0.05 (REF TO COM ON JUDICII)	320.
H 848	UCC STATEMENT FILING, INDEXING (RATIFIED CH.0164)	320, 446, 473, 488, 736, 744,754.
H 849	RECORD SEPARATE INSTRUMENTS (RATIFIED CH.0114)	320, 446, 473, 488, 730.

H 850	MINIMUM LAND RECORDS STANDARDS (RATIFIED CH.0697)	320, 638, 684, 1183, 1199,1210.
H 851	REGISTER OF DEEDS INSURANCE (RATIFIED CH.0470)	320, 395, 475, 519, 562, 641,982, 1009, 1025.
H 852	NO TOBACCO SALES UNDER 18 (RATIFIED CH.0628)	320, 539, 589, 1100, 1117,1129.
H 853	PHARMACY SERVICES SELECTION (ASSIGNED TO COM-INSU)	321, 395.
H 854	SCHOOL SUPERINTENDENTS CONTRACTS (RATIFIED CH.0238) (S 658)	321, 440, 456, 811.
H 855	EMPLOYER ACCOUNT BENEFIT CHARGE (RATIFIED CH.0276)	321, 330, 413, 435, 848.
H 856	STUDY SOIL/WATER DIV'N TRANSFER (REF TO COM ON RULES&)	321.
H 857	STUDY FOREST RESOURCES TRANSFER (REF TO COM ON RULES&)	321.
H 858	CLARIFY GOOD SAMARITAN ACT (REF TO COM ON JUDICI)	321.
H 859	DOMICILIARY HOME RATE INCREASE (REF TO COM ON APPROP) (S 708)	321.
H 860	DOMICILIARY CARE ELIGIBILITY (RE-REF COM ON APPROP)	321, 432, 649, 735.
H 861	FLASHING SCHOOL BUS LIGHTS (RATIFIED CH.0290)	322, 539, 589, 860.
H 862	REDUCE PACKAGING TOXICITY (ASSIGNED TO ENV-SOLI)	322, 330.
H 863	MINIMUM BINGO CHARITY PROCEEDS (Senate)	322, 646, 673, 675.
H 864	MINORITY/HANDICAP ADOPTION FUNDS (REF TO COM ON APPROP) (S 271)	322.
H 865	LIMITED REPRESENTATIVE LICENSE (RATIFIED CH.0398)	331, 450, 511, 561, 922, 938,946, 954.
H 866	AIR CARGO AIRPORT AUTHORITY (REF TO COM ON TRANSPOR) (S 649)	331.
H 867	LRC STUDY PRISON INMATE USE (REF TO COM ON RULES&)	331.
H 868	NOTICE OF SETTLEMENT REVISIONS (RATIFIED CH.0261)	331, 647, 673, 676, 810, 825,836.
H 869	COMMERCIAL LOANS FEES (RATIFIED CH.0506) (S 711)	331, 396, 583, 625, 666, 1003,1028, 1048.
H 870	MANDATORY VOTER ID (Senate)	332, 460, 507.
H 871	SCHOOL MAGNETOMETERS FUNDS (REF TO COM ON APPROP)	332.
H 872	GAS SERVICE FOR HANDICAPPED (Senate)	332, 639, 670.
H 873	WATERSHED PROTECTION DEADLINE (RATIFIED CH.0471)	332, 382, 547, 598, 982, 1009,1025.
H 874	MODERNIZE STRAY LAW (RATIFIED CH.0472)	332, 424, 462, 586, 614, 634,1025.
H 875	CORRECTIONS FISCAL NOTES (Senate)	332, 837, 852, 863.
H 876	FEE-BASED PASTORS INSURANCE (REF TO COM ON JUDICII)	332.
H 877	VEHICLE DEALERS LICENSING LAW (REF TO COM ON JUDICI)	332.
H 878	SCHOOLS MUST STRESS BASICS (REF TO COM ON EDUCATN)	333.
H 879	SICKLE CELL FUNDS (REF TO COM ON APPROP)	333.

H 880	SOCIAL WORKER CERTIFICATION (RE-REF COM ON FINANCE) (S 694)	333, 433, 1058, 1075.
H 881	PASTORAL COUNSELORS CERTIFIED (RATIFIED CH.0670) (S 712)	333, 715, 809, 829, 838, 1165, 1166, 1193.
H 882	OPEN MEETINGS AMENDMENTS (REF TO COM ON JUDICII)	333.
H 883	STATE BUDGET HEARINGS (REF TO COM ON JUDICII) ..	333.
H 884	NEWSPAPER DELIVERY, SEAT BELTS (RATIFIED CH.0448)	333, 446, 488, 1007.
H 885	SOLID WASTE REDUCTION BLANK (REF TO COM ON RULES&)	333.
H 886	ENVIRONMENTAL FEES BLANK (REF TO COM ON RULES&)	333.
H 887	CANDIDATE APPEARANCE IN AD (ASSIGNED TO FIN-W&M)	334, 642, 703.
H 888	LOBBYING FEES (Senate) (S 701)	334, 426, 1102, 1134, 1156, 1168.
H 889	LENOIR COUNTY ARTS FUNDS (REF TO COM ON APPROP)	334.
H 890	NEWBORN SCREENING PROGRAM (RATIFIED CH.0661)	334, 432, 548, 735, 809, 830, 838, 1155, 1175.
H 891	STATE BUILDING COMM'N MEMBERS (RATIFIED CH.0314)	334, 558, 599, 889.
H 892	NO ORAL DRIVERS LICENSE TESTS (REPTD TO TRANSPOR)	334, 413, 462.
H 893	INCOME TAX SURTAX FOR EDUCATION (REF TO COM ON FINANCE)	334.
H 894	GOV'T CONFER WITH LABOR ORG. (ASSIGNED TO ECO-LBR&)	334, 380.
H 895	MOTOR VEHICLE WARRANTY WORK (RATIFIED CH.0561)	334, 579, 621, 1022, 1045, 1091.
H 896	BALLOT AMENDMENTS (REPTD UNFAV)	335, 509.
H 897	NO REQUIRED REPAIR COMPANIES (RATIFIED CH.0386)	335, 395, 567, 637, 922, 939, 945.
H 898	CABLE TELEVISION LATE FEES (REF TO COM ON JUDICIII)	335.
H 899	LAW ENFORCEMENT DEATH BENEFIT (RE-REF COM ON APPROP)	335, 715.
H 900	SPECIAL HAZ. WASTE INSPECTORS (ASSIGNED TO ENV-HAZA)	335, 448.
H 901	CLARIFY DEFERRED COMPENSATION (RATIFIED CH.0277)	335, 619, 664, 848.
H 902	FARM INSURANCE, RATE BUREAU (RATIFIED CH.0339)	335, 395, 476, 519, 559, 616, 872, 890, 907.
H 903	NO CIGARETTE SALES UNDER 18-2 (REF TO COM ON JUDICIII)	335.
H 904	OFF-PREMISE VEHICLE SALES (RATIFIED CH.0662)	336, 647, 794, 815, 826, 1086, 1107, 1124, 1145, 1154, 1175.
H 905	VEHICLE VALUE, HIGHWAY TAX (REF TO COM ON FINANCE)	336.
H 906	BROUGHTON HOSPITAL FUNDS (REF TO COM ON APPROP)	336.
H 907	COST OF LIVING INCREASE PRIORITY (RE-REF COM ON APPROP) (S 761)	336, 546, 597.
H 908	RURAL ELEC. REGULATORY FEE (RATIFIED CH.0473)	336, 593, 809, 830, 839, 1025.

H 909	UNDERINSURED MOTORIST COVERAGE-2 (RE-REF COM ON COMMERCE) (S 688)	336, 679, 713.
H 910	COMMUNITY-BASED ALTERN. FUNDS (REF TO COM ON APPROP)	336.
H 911	ALUMNI ASS'N ABC PERMITS (RATIFIED CH.0340)	337, 446, 489, 907.
H 912	HOUSING VIOLATION CLOSINGS (RATIFIED CH.0315) (S 570)	337, 396, 595, 625, 664, 889.
H 913	COASTAL COMM'N MEMBERSHIP (Senate)	337, 382, 494, 537.
H 914	HONORING DUKE, NCAA CHAMPS (Senate) (S 646)	326, 329, 343.
H 915	PSYCHOLOGISTS' CONDUCT CODE (RATIFIED CH.0239)	337, 587, 615, 788, 797, 802,811.
H 916	RESTORE LOCAL GOV'T EARMARKING (REF TO COM ON APPROP)	337.
H 917	LRC STUDY EMPLOYMENT AGENCIES (REF TO COM ON RULES&)	337.
H 918	INSURANCE EMPLOYEES ACTIVITIES (RATIFIED CH.0562)	345, 450, 567, 637, 661, 1041,1071, 1074, 1091.
H 919	MEMORIALIZING W. F. YARBOROUGH, SR (RATIFIED RES.13) (S 739)	346, 558, 640, 659.
H 920	PLAT REGISTRATION (REF TO COM ON JUDICIII)	346.
H 921	UNC NONRESIDENT TUITION INCREASE (REF TO COM ON APPROP)	346.
H 922	NOTIFY LIENHOLDER OF SETTLEMENT (Senate)	346, 591, 624.
H 923	CLARIFY UNC BOARD NOMINATION (RATIFIED CH.0436)	346, 411, 425, 455, 888, 957,969, 985.
H 924	AIR PERMITS/LOCAL ORDINANCES (RATIFIED CH.0629)	346, 382, 547, 618, 1100,1117, 1129.
H 925	PLUMBING/HTG. EXAM GRACE PERIOD (RATIFIED CH.0507)	347, 380, 524, 593, 1004,1028, 1048.
H 926	TICKET PRICE SERVICE FEE (RATIFIED CH.0165)	347, 497, 507, 537, 754.
H 927	ARCHAEOLOGICAL RESOURCES BLANK (REF TO COM ON RULES&)	347.
H 928	NO BOND FOR CERTAIN ACTIONS (RATIFIED CH.0278)	347, 497, 538, 789, 824, 837,848.
H 929	TECHNICAL CORRECTIONS (RATIFIED CH.0761)	347, 527, 588, 1234, 1242, 1246, 1253, 1254, 1255.
H 930	PARENTAL LEAVE ACT (RE-REF COM ON APPROP)	347, 662, 687, 708.
H 931	PRIVATE PROPERTY PROTECTION (REF TO COM ON JUDICI)	347.
H 932	OFFICIAL STATE TARTAN (RATIFIED CH.0085) (S 713)	347, 506, 540, 632.
H 933	PRISON CONCESSION NOT TAX EXEMPT (RATIFIED CH.0618)	348, 410, 433, 442, 1086,1107, 1116.
H 934	OPEN BALLOT ACCESS (REPTD UNFAV)	348, 509.
H 935	ARCHITECTS CLAIMS (Senate)	348, 662, 688, 694.
H 936	PROBATE EXTENSION NOTIFICATION (REF TO COM ON JUDICI)	348, 639.
H 937	SCHOOLS OF CHOICE BLANK (REF TO COM ON RULES&)	348.
H 938	SCHOOL EQUITY FUNDS (REF TO COM ON EDUCATN) (S 720)	348.
H 939	EXEMPT DISPUTE SETTLEMENT (RATIFIED CH.0387)	348, 459, 491, 905, 924, 945.

H 940	JURY INSTRUCTION/MULTIPLE DAMAGES (REF TO COM ON JUDICII)	349.
H 941	SERVICE PROCESS CHANGE (REF TO COM ON JUDICII) ..	349.
H 942	REDUCTION IN FORCE PRIORITY (RATIFIED CH.0474)	349, 566, 636, 982, 1009, 1025.
H 943	RETIREMENT CREDIT UNUSED VACATION (REPTD UNFAV)	349, 750, 778, 853.
H 944	TIME TO APPEAL/PAUPERS (RATIFIED CH.0563)	349, 487, 520, 1091.
H 945	UNIFORM JAIL FEES (REPTD TO FINANCE)	349, 703, 917.
H 946	HOMEOWNER/CONDO ASS'N LIENS (REF TO COM ON JUDICIII)	349.
H 947	LAW OFFICERS' 25-YEAR RETIREMENT (REF TO COM ON PENS&RET)	349.
H 948	ADJOURN SINE DIE JUNE 28 (REF TO COM ON RULES&) .	350.
H 949	CHILD WITNESS PRIVACY (REF TO COM ON JUDICI)	350.
H 950	JURY INSTRUCTIONS/LIFE SENTENCES (REF TO COM ON JUDICI)	350.
H 951	NOTICE OF INTENT TO EJECT (RATIFIED CH.0166)	350, 432, 579, 640, 736, 745, 754.
H 952	WORKERS COMP FOR FARM WORKERS (RE-REF COM ON RULES&)	350, 643, 886.
H 953	AREA AUTHORITY SPA EXEMPTION (RATIFIED CH.0564)	350, 546, 597, 1004, 1029, 1067, 1091.
H 954	STATE SUBSIDIES/DETENTION HOMES (REF TO COM ON APPROP)	350.
H 955	CONSUMER FINANCE ACT CHANGES (REPTD TO COMMERCE)	351, 396, 1154.
H 956	BAN DAY CARE CORPORAL PUNISHMENT (RATIFIED CH.0640)	351, 432, 494, 543, 557, 1147.
H 957	STATE SALARY INEQUITIES CORRECTED (RE-REF COM ON RULES&)	351, 907.
H 958	PERSONNEL COMMISSION EXPANSION (REF TO COM ON STATGOVT)	351.
H 959	PERSONNEL SUPERVISORY TRAINING (RATIFIED CH.0416)	351, 629, 669, 905, 938, 954, 967.
H 960	STATE USE REUSABLE HAND TOWELS (RE-REF COM ON APPROP)	351, 382, 511, 567, 682.
H 961	BAN PVC PLASTICS (ASSIGNED TO ENV-SOLI)	351, 448.
H 962	DISPOSAL OF PAINTS & SOLVENTS (ASSIGNED TO ENV-HAZA)	352, 382.
H 963	REALIGN RESIDENCY DISTRICTS (Senate) .	352, 843, 863, 884.
H 964	NONPARTISAN PRIMARY BALLOTS (RATIFIED CH.0341)	352, 509, 563, 907.
H 965	LOCAL REVENUE BOND CHANGES (RATIFIED CH.0508)	352, 427, 453, 472, 1048.
H 966	DISSOLVE INACTIVE SANITARY DIST (RATIFIED CH.0417)	352, 487, 521, 967.
H 967	UNIVERSITY JOIN MUNICIPAL AGENCY (RATIFIED CH.0291)	352, 650, 685, 860.
H 968	SCHOOL ADMINISTRATOR TRAINING (REF TO COM ON EDUCATN)	352.
H 969	NO PASS, NO DRIVE (REF TO COM ON EDUCATN)	353.
H 970	NO PHYSICIAN'S PHARMACY PERMIT (RE-REF COM ON FINANCE)	353, 432, 559, 628.
H 971	DRUG EXPIRATION DATE ON LABEL (FAILED 3RD READING)	353, 432, 528, 588, 615.
H 972	PREFERRED PROVIDER PAYMENTS (POSTPONED INDEFINITELY) .	353, 396, 871, 1062, 1122, 1126.

H 973	INSURANCE BLANK BILL (REF TO COM ON RULES&)	353.
H 974	NO CREDIT CARD NUMBER ON CHECKS (Senate)	353, 380, 525, 594.
H 975	NO PERSONAL INFO, CREDIT CARD (POSTPONED INDEFINITELY)	353, 380, 752, 844.
H 976	FEDERAL OFFICER IMMUNITY (RATIFIED CH.0262)	353, 647, 673, 822, 825, 836.
H 977	PRIVATE PROPERTY RIGHTS STUDY (REF TO COM ON RULES&)	353.
H 978	FORESTRY LIMIT NUISANCE LIABILITY (Senate)	354, 424, 462, 518.
H 979	SBI INVESTIGATE MISCONDUCT (RE-REF COM ON JUDICIII)	354, 672, 712.
H 980	EMPLOYERS CHECK CRIMINAL HISTORY (RE-REF COM ON FINANCE)	354, 487, 503.
H 981	AIR EMISSION PERMIT HEARING (ASSIGNED TO ENV-WAT&)	354, 382.
H 982	ZONING WILLIE M. HOMES (REF TO COM ON JUDICI) ..	354.
H 983	SCHOOLS OF EDUCATION STANDARDS (REPTD TO EDUCATN)	354, 519, 642.
H 984	COMPARATIVE FAULT (FAILED 2ND READING)	354, 600, 636, 676.
H 985	CITY REQUIRE GARBAGE SERVICE-2 (RATIFIED CH.0698) ..	354, 661, 686, 856, 900, 912, 1204, 1210.
H 986	NO HIGHWAY TAX ON SCHOOL BUSES (REF TO COM ON FINANCE) (S 691)	355.
H 987	DRIVER LICENSE SUSPENSION PERIOD (RATIFIED CH.0509)	355, 539, 595, 1004, 1029, 1048.
H 988	PROTECT WOODPECKER HABITAT (ASSIGNED TO TRAN-HWY)	355, 438.
H 989	HOTEL GUEST ROOM CABINETS (RATIFIED CH.0565)	355, 411, 426, 463, 527, 584, 627, 633, 1022, 1043, 1066, 1091.
H 990	SOIL/WATER DISTRICT AUDIT (ASSIGNED TO ENV-WAT&)	355, 382.
H 991	INTERNATIONAL COMM. ARBITRATION (RATIFIED CH.0292) (S 695) ..	355, 598, 625, 665, 835, 850, 860.
H 992	PREQUALIFY PUBLIC CONTRACTS (POSTPONED INDEFINITELY)	355, 492.
H 993	RESTRUCTURE UNC BOARD OF GOV (FAILED 2ND READING)	355, 496, 636, 681.
H 994	PROJECT GENESIS ESTABLISHED (REF TO COM ON EDUCATN) (S 732)	356.
H 995	REGULATE CERTAIN EMPL. AGENCIES (POSTPONED INDEFINITELY)	356, 381, 752, 844.
H 996	MEDICAID STATE/FEDERAL COORD. (RATIFIED CH.0388) (S 737)	356, 565, 620, 796, 802, 820, 931, 937, 945.
H 997	OPTOMETRY LAW CHANGES (REF TO COM ON HUMRES)	356.
H 998	DMV OFFICERS JURISDICTION (REPTD UNFAV)	356, 545.
H 999	PURCHASE MATERNITY LEAVE (Senate) ..	356, 561, 858, 878.
H 1000	LIFE PLAN TRUST ACT (Senate)	356, 527, 594.
H 1001	ADOPT-A-BEACH PROGRAM (RE-REF COM ON APPROP)	357, 382.
H 1002	VEHICLE DEALER LICENSING LAW (RATIFIED CH.0510)	357, 459, 508, 542, 1004, 1029, 1048.
H 1003	AIDS TEST/SEX OFFENSES (Senate)	357, 459, 491, 504.
H 1004	TRANSFER LAND RECORDS MGT. (RE-REF COM ON APPROP)	357, 726.

H 1005	NO DEATH PENALTY/MENTAL RETARD. (RE-REF COM ON APPROP)	357, 626.
H 1006	EQUAL OPPORTUNITY PROGRAM (Senate)	357, 629, 669.
H 1007	PLASTIC/GLASS CONTAINER DEPOSIT (RE-REF COM ON RULES&)	357, 567, 625, 668.
H 1008	I-40 SCENIC/MEMORIAL HIGHWAY-2 (FAILED 2ND READING)	357, 496, 585, 645.
H 1009	AMORTIZATION MORATORIUM/SIGN FEE INCREASE (RE-REF COM ON RULES&) ..	358, 667, 695, 697, 712, 721, 918.
H 1010	WHOLESALE DRUG DISTRIB. LICENSE (RATIFIED CH.0699)	358, 433, 528, 703, 750, 794, 816, 827, 1178, 1197, 1210.
H 1011	VOID UNNECESSARY EVICTIONS (REPTD TO COMMERCE)	358, 396, 595.
H 1012	CLARIFY LANDLORD/TENANT LAW (RE-REF COM ON JUDICI)	358, 396, 596, 659, 667, 708.
H 1013	LOCAL WORKER POLITICAL ACTIVITY (RATIFIED CH.0619) (S 767) ...	358, 460, 504, 1093, 1108, 1116.
H 1014	RESTORE CHRISTMAS HOLIDAY (RATIFIED CH.0750) (S 667)	358, 623, 962, 998, 1036, 1056, 1242, 1245.
H 1015	TENURE FOR TEACHERS ONLY (REF TO COM ON EDUCATN)	358.
H 1016	REVENUE BONDS FOR GAS SYSTEMS (RATIFIED CH.0511)	358, 866, 918, 940, 948, 1049.
H 1017	CITY ISSUE SUBPOENA/STOP ORDER (RATIFIED CH.0512)	359, 591, 646, 1004, 1029, 1049.
H 1018	JOINT POWER AGENCY FINANCING (RATIFIED CH.0513)	359, 512, 856, 902, 1049.
H 1019	EXPAND AMTRAK SERVICES BLANK (REF TO COM ON RULES&)	359.
H 1020	STATE TO USE EFFICIENT LIGHTING (REF TO COM ON ENVIRONM) (S 728)	359.
H 1021	LRC STUDY ENERGY CONSERVATION (REF TO COM ON RULES&)	359.
H 1022	NC COMMUNITY REINVESTMENT ACT (ASSIGNED TO COM-FINA)	359, 514.
H 1023	VOTER REGISTRATION BLANK (REF TO COM ON RULES&)	359.
H 1024	RAILROAD OPERATIONS BLANK (REF TO COM ON RULES&)	359.
H 1025	SURVEY REGISTRATION CHANGES (RE-REF COM ON JUDICI)	360, 674, 713.
H 1026	NO OUT-OF-STATE ARBITRATION (Senate)	360, 459, 491.
H 1027	SUBCONTRACTOR PAYMENT (RATIFIED CH.0620)	360, 459, 508, 542, 1086, 1107, 1116.
H 1028	UTILITIES ELECTRICAL CONTRACTING (ASSIGNED TO ECO-SMBU) (S 729)	360, 381.
H 1029	ABC BLANK BILL (REF TO COM ON RULES&)	360.
H 1030	CHIMNEY SWEEP ACT (REF TO COM ON STATGOVT) ...	360.
H 1031	NO BREED-SPECIFIC ORDINANCES (REF TO COM ON JUDICI)	360.
H 1032	SHELLFISH LEASE AUTHORITY STUDY (RE-REF COM ON RULES&)	360, 449, 679.
H 1033	VICTIMS' RIGHTS STUDY (RE-REF COM ON RULES&)	360, 639.
H 1034	EXEMPT YOUTH LEAGUE CONCESSIONS (REF TO COM ON FINANCE)	361.

H 1035	MANUFACTURED HOUSING LIENS (REF TO COM ON JUDICII)	361.
H 1036	WILLIE M. LIMIT REMOVED (REF TO COM ON APPROP) .	361.
H 1037	SMALL EMPLOYER GROUP HEALTH (RATIFIED CH.0630) (S 797)	361, 630, 794, 816, 827, 1100,1118, 1129.
H 1038	SANITARIAN ED./SEPTIC TANK FEE (REPTD TO FINANCE)	368, 411, 829.
H 1039	NATURAL GAS EXPANSION/COST (RATIFIED CH.0598) .	368, 863, 869, 900, 912, 1077,1089, 1105.
H 1040	FETAL MODEL FOR ABORTION CLIENT (REF TO COM ON HUMRES)	368.
H 1041	FELONY TO ASSIST IN SUICIDE (REF TO COM ON JUDICII)	368.
H 1042	DETERMINATION OF DEATH ACT (REF TO COM ON JUDICIII)	368.
H 1043	SAFEKEEPER MEDICAL COSTS (REF TO COM ON APPROP)	368.
H 1044	HOUSING OF SAFEKEEPERS (RATIFIED CH.0535)	368, 424, 444, 1070.
H 1045	AUDIT INMATE MEDICAL RECORDS (REF TO COM ON APPROP)	369.
H 1046	STUDY PAY PHONE CUT-OFF (RATIFIED CH.0240)	369, 512, 563, 588, 812.
H 1047	CLARIFY ALARM LICENSE TAX (RATIFIED CH.0213)	369, 425, 455, 790.
H 1048	SPEEDING SCHOOL FEE (REF TO COM ON FINANCE)	369.
H 1049	4TH GRADE COMPETENCY TESTING (REF TO COM ON EDUCATN)	369.
H 1050	MAGISTRATES' LONGEVITY (REF TO COM ON PUBEMP)	369.
H 1051	LRC STUDY CARDIAC CARE (REF TO COM ON RULES&) .	369.
H 1052	LRC STUDY LONG TERM CARE (REF TO COM ON RULES&)	370.
H 1053	SCHOOL EMPLOYEE DUES DEDUCTION (Senate)	370, 460, 505, 518.
H 1054	PUBLIC TRANSPORTATION SERVICES (ASSIGNED TO TRAN-PUB)	370, 496.
H 1055	GAS STATION FACILITIES REQUIRED (REPTD TO AGRICULT)	370, 424, 651.
H 1056	EMC CANNOT REMIT FINES (ASSIGNED TO ENV-WAT&)	370, 449.
H 1057	BATHROOM EQUITY ACT (REF TO COM ON RULES&) ...	370.
H 1058	STATE ETHICS CODE-2 (REF TO COM ON JUDICIII)	370.
H 1059	BOARD OF GOVERNORS ELECTION-H-2 (ASSIGNED TO ED-UNIV&)	370, 491, 496.
H 1060	HISTORIC BUILDINGS TIME DELAY (RATIFIED CH.0514)	371, 506, 541, 1004, 1029,1049.
H 1061	MILK DISTRIBUTORS' BOND (POSTPONED INDEFINITELY)	371, 424, 683, 885.
H 1062	DAY CARE RATIO CHANGE PHASE-IN (RE-REF COM ON RULES&)	371, 433, 630, 674, 1058.
H 1063	COMM. COLLEGE REFUGEE TUITION (RE-REF COM ON APPROP)	371, 439, 622.
H 1064	TRUCK AXLE REQUIREMENTS (RATIFIED CH.0449)	371, 495, 643, 688, 1007.
H 1065	BOATING SAFETY EDUCATION (RE-REF COM ON TRANSPOR)	371, 495, 619, 1122.
H 1066	LOWER PRESCRIPTION DRUG COSTS (REF TO COM ON PUBEMP)	371.

H 1067	HUNTER CRIMINAL NEGLIGENCE (REF TO COM ON JUDICII)	371.
H 1068	RADIOACTIVE WASTE DISPOSAL (Senate) .	372, 397, 560, 620.
H 1069	HAZ. FACILITY NEAR MENTAL HOSP. (REF TO COM ON ENVIRONM)	372.
H 1070	ENVIRONMENTAL POLICY STUDY (REF TO COM ON RULES&)	382.
H 1071	POSTSEASON SPORTS REVENUE USE (REF TO COM ON EDUCATN)	383.
H 1072	CHILD TESTIMONY BY TV-1 (Senate) (S 783) ...	383, 662, 690.
H 1073	CLARIFY BALLOT INSTRUCTIONS (RATIFIED CH.0641)	383, 509, 563, 587, 1004, 1030, 1040, 1096, 1123, 1147.
H 1074	COMMERCIAL TANK DEFINITION (ASSIGNED TO ENV-WAT&) (S 795)	383, 449.
H 1075	REPRESENTATIVES' LICENSE PLATES (Senate) .	383, 559, 599.
H 1076	CHILD TESTIMONY BY TV-2 (REF TO COM ON JUDICII) .	383.
H 1077	STUDY HEALTH INSURANCE ACCESS (RE-REF COM ON RULES&)	397, 735, 850.
H 1078	PARENTAL INVOLVEMENT FUNDS (REF TO COM ON APPROP)	397.
H 1079	CENTRALIZE STATE PERSONNEL (REF TO COM ON PUBEMP)	397.
H 1080	CERTAIN UNC ESCHEAT RECEIPTS (REF TO COM ON APPROP)	397.
H 1081	DRUG OFFENSE, NO HOUSE ARREST (REF TO COM ON JUDICIII)	398.
H 1082	LIMIT LANDOWNER LIABILITY (Senate) ...	398, 661, 688, 693.
H 1083	CIVIL STUDY DOWNTOWNS (REF TO COM ON RULES&) ..	398.
H 1084	COMMUNITY DEVELOPMENT LENDING STUDY (RE-REF COM ON RULES&)	398, 514, 1061.
H 1085	WATER/SEWER FRANCHISE BOND (REF TO COM ON PUBUTILS)	398.
H 1086	PIEDMONT TRIAD INSTITUTE PROGRAM (RATIFIED CH.0316)	398, 540, 596, 889.
H 1087	BLANK BILL (REF TO COM ON RULES&)	398.
H 1088	CIVIL PROCEDURE BLANK (REF TO COM ON RULES&) ..	398.
H 1089	DEFERRED PROSECUTION PROGRAM (REF TO COM ON JUDICIII)	399.
H 1090	PRIVATE LANDFILL IMPACT STATEMENT (RE-REF COM ON RULES&)	399, 448, 812.
H 1091	LICENSING BOARDS UNDER BUDGET (RE-REF COM ON FINANCE)	399, 506.
H 1092	COMMUNITY COLLEGE TRUSTEES (ASSIGNED TO ED-COMMC)	399, 439.
H 1093	PERMITS/WASTE REDUCTION PLANS (ASSIGNED TO ENV-SOLI)	399, 448.
H 1094	MEDICAL MALPRACTICE, PRISONERS (REF TO COM ON JUDICII)	399.
H 1095	STUDY HAZARDOUS WASTE DISPOSAL (REF TO COM ON RULES&)	399.
H 1096	HAZARDOUS WASTE FACILITY SITING (ASSIGNED TO ENV-HAZA)	399, 448.
H 1097	HAZ. WASTE LANDFILL BARRIERS (RATIFIED CH.0450) ...	400, 448, 584, 645, 922, 959, 986, 1007.
H 1098	TOLL ROADS AUTHORITY (RE-REF COM ON RULES&)	400, 495, 643, 858.
H 1099	PASSING STOPPED SCHOOL BUSES (FAILED 2ND READING)	400, 639, 671, 685.

H 1100	LAW OFFICER DISCIPLINE (REF TO COM ON JUDICIII) ...	400.
H 1101	CVCC HOSIERY TECH. FUNDS (REF TO COM ON APPROP)	400.
H 1102	NO COMMENTS ON PENALTY (REF TO COM ON JUDICI)	400.
H 1103	PROPERTY EXEMPT FROM EXECUTION (REF TO COM ON COURTS&) (S 757)	400.
H 1104	SCHOOL EMPLOYEE CRIMINAL RECORD (RE-REF COM ON FINANCE) (S 766)	401, 639.
H 1105	STUDY LICENSE TO SELL FISH (RE-REF COM ON RULES&)	401, 424, 649.
H 1106	LEGISLATIVE ETHICS JURISDICTION-2 (RATIFIED CH.0700)	401, 559, 619, 1183, 1199, 1211.
H 1107	INNKEEPER ALLOW DOGS (RATIFIED CH.0663)	401, 639, 684, 1004, 1030, 1044, 1088, 1116, 1125, 1131, 1137, 1175.
H 1108	BATHROOM EQUITY ACT-2 (RATIFIED CH.0515) .	401, 513, 640, 650, 685, 1005, 1030, 1049.
H 1109	SOLID WASTE LAW AMENDMENTS (RATIFIED CH.0621)	401, 448, 628, 669, 1023, 1106, 1116.
H 1110	FETAL MURDER (REF TO COM ON JUDICI) (S 648)	401.
H 1111	RECORD OF CONSIGNED GOODS (RATIFIED CH.0536)	401, 418, 525, 594, 1023, 1045, 1070.
H 1112	K-2 STUDENTS MUST ATTEND SCHOOL (REF TO COM ON EDUCATN) (S 804)	402.
H 1113	LOTTERY FOR CAPITAL PROJECTS (REF TO COM ON COURTS&)	402, 865, 913.
H 1114	HIGHWAY PATROL INVESTIGATIONS (REF TO COM ON JUDICII)	402.
H 1115	CREATE DIV'N OF ADULT SERVICES (REF TO COM ON APPROP)	402.
H 1116	JUVENILE SUPERVISION CHANGE (RE-REF COM ON APPROP)	402, 510.
H 1117	JUVENILE CAPITAL OFFENSE CHANGE (Senate)	402, 540, 590.
H 1118	JUVENILE RELEASE CHANGE (RATIFIED CH.0352)	402, 510, 560, 923.
H 1119	JUVENILE INTERMITTENT COMMITMENT (RATIFIED CH.0353)	403, 510, 560, 923.
H 1120	NO NET LOSS OF WETLANDS (ASSIGNED TO ENV-WAT&)	403, 449.
H 1121	AMUSEMENT DEVICE FEES (RATIFIED CH.0475)	403, 460, 502, 516, 1025.
H 1122	TEACHER LEAVE/SCHOOL DAYS (RE-REF COM ON APPROP)	403, 802.
H 1123	KILL LAW OFFICER/CAPITAL CRIME (Senate) ...	403, 626, 665.
H 1124	ENVIRONMENT TECH. CORRECTIONS (RATIFIED CH.0342) (S 802)	403, 449, 547, 619, 907.
H 1125	ABUSED CHILDREN FUNDS (REF TO COM ON APPROP) ..	403.
H 1126	ELECTION LAWS CHANGES (RE-REF COM ON COURTS&)	403, 663, 700.
H 1127	SOCIAL SERVICES PATERNITY ID (REPTD UNFAV)	404, 513, 630, 936.
H 1128	OPEN MEETINGS AMENDMENTS-2 (REF TO COM ON JUDICII)	404.
H 1129	CHILD SUPPORT AGE/COLLEGE (REF TO COM ON COURTS&)	404.
H 1130	LRC STUDY LAW OFFICER RIGHTS (REF TO COM ON RULES&)	414.
H 1131	DEMOLITION ASPHALT AS FILL (RATIFIED CH.0537)	414, 449, 585, 645, 1005, 1030, 1044, 1070.

H 1132	SINGLE COUNTY WATER/SEWER AUTH. (RATIFIED CH.0516)	427, 726, 856, 877, 1049.
H 1133	INCREASE INVENTORY REIMBURSEMENT (REF TO COM ON FINANCE) (S 837)	427.
H 1134	COASTAL BOATING GUIDE FUNDS (REF TO COM ON APPROP) (S 844)	427.
H 1135	BUSINESS INCUBATOR FUNDS (REF TO COM ON APPROP)	427.
H 1136	LOCAL GROSS RECEIPTS TAX (REF TO COM ON FINANCE)	439.
H 1137	COVERED SHELTERS FOR VISITORS (REF TO COM ON APPROP)	450.
H 1138	COMMUNITY-BASED ALTERN. FUNDS (REF TO COM ON APPROP) (S 847)	450.
H 1139	AYCOCK HISTORIC SITE FUNDS (REF TO COM ON APPROP)	450.
H 1140	WAYNE COMM. COLLEGE FUNDS (REF TO COM ON APPROP)	450.
H 1141	INDIVIDUAL INCOME TAX INCREASE (REF TO COM ON FINANCE)	464.
H 1142	RAISE BEER AND CIGARETTE TAX (REF TO COM ON FINANCE)	464.
H 1143	NC MUSEUM OF HISTORY FUNDS (REF TO COM ON APPROP) (S 843)	464.
H 1144	ADAP/SOUTHERN FUNDS (REF TO COM ON APPROP) (S 854)	479.
H 1145	SPENCER SHOPS FUNDS (REF TO COM ON APPROP)	479.
H 1146	LANDSCAPE CONTR. EXAM FEE (RATIFIED CH.0180)	479, 586, 615, 634, 771.
H 1147	HEAD START FUNDS (REF TO COM ON APPROP) (S 871) .	480.
H 1148	BOOST FUNDS (REF TO COM ON APPROP) (S 875)	480.
H 1149	TRANSYLVANIA DISPUTE SETTLEMENT (REF TO COM ON APPROP)	480.
H 1150	MAYO FEASIBILITY STUDY FUNDS (REF TO COM ON APPROP)	480.
H 1151	LIFEGUARDIANSHIP PROGRAM FUNDS (REF TO COM ON APPROP)	480.
H 1152	FAYETTEVILLE BUS. LEAGUE FUNDS (REF TO COM ON APPROP)	497.
H 1153	COMPUTER SERVICES STUDY (REF TO COM ON RULES&)	497.
H 1154	REMOVE VEHICLE SALES TAX CAP (REF TO COM ON FINANCE)	498.
H 1155	RAISE CIGARETTE TAX (REF TO COM ON FINANCE)	498.
H 1156	HISTORIC ATTRACTION FUNDS (REF TO COM ON APPROP) (S 862)	498.
H 1157	LRC STUDY COMPREHENSIVE PLANNING (REF TO COM ON RULES&)	498.
H 1158	BALANCE BUDGET HIGHWAY TRUST FUND (REF TO COM ON FINANCE)	498.
H 1159	SUMMIT HOUSE FUNDS (REF TO COM ON APPROP)	498.
H 1160	BEAR LICENSE REPEAL/RESTRICT FISHING (RATIFIED CH.0671)	513, 536, 651, 703, 869, 963,1014, 1033, 1193.
H 1161	INDIVIDUAL INCOME TAX INCREASE-2 (REF TO COM ON FINANCE)	513.
H 1162	RAISE CIGARETTE TAX-2 (REF TO COM ON FINANCE) ..	513.
H 1163	ASU POWER PLANT FINANCING (RATIFIED CH.0599)	513, 920, 963, 991, 1010,1105.
H 1164	STUDENT AID INFORMATION (REF TO COM ON RULES&)	513.

H 1165	HONORING CABARRUS BICENTENNIAL (REF TO COM ON RULES&)	514.
H 1166	VIETNAM VETERANS LICENSE PLATE (REF TO COM ON TRANSPOR)	529.
H 1167	AGRIC., FORESTRY, SEAFOOD STUDY (REF TO COM ON RULES&)	529.
H 1168	MILK SANITATION FUNDS (REF TO COM ON APPROP) ..	529.
H 1169	DHR SINGLE PORTAL FUNDS (REF TO COM ON APPROP)	529.
H 1170	SPEECH AND HEARING FUNDS (REF TO COM ON APPROP)	530.
H 1171	DISCOVERY PLACE CAPITAL FUNDS (REF TO COM ON APPROP)	530.
H 1172	DISCOVERY PLACE OPERATING FUNDS (REF TO COM ON APPROP)	530.
H 1173	MINORITY HEALTH FUNDS (REF TO COM ON APPROP) ..	548.
H 1174	APICULTURE SUPPORT FUNDS (REF TO COM ON APPROP) (S 883)	548.
H 1175	TRAVEL/TOURISM ADVERTISING FUNDS (REF TO COM ON APPROP)	548.
H 1176	CUMBERLAND MH FACILITY FUNDS (REF TO COM ON APPROP) (S 865)	548.
H 1177	RAISE REGISTER OF DEEDS FEES (REF TO COM ON FINANCE)	549.
H 1178	CASWELL/BALD HEAD OCCUPANCY TAX (RATIFIED CH.0664)	549, 776, 790, 804, 1175.
H 1179	FUNDS TO GAIN COMPETITIVE EDGE (REF TO COM ON APPROP)	549.
H 1180	COMMUNITY COLL. EQUIPMENT FUNDS (REF TO COM ON APPROP)	549.
H 1181	UNINSURED MOTORIST STUDY (REF TO COM ON RULES&)	549.
H 1182	STATE AGENCY PROGRAM EVALUATION (REF TO COM ON RULES&)	567.
H 1183	CRISIS STABILIZATION FUNDS (REF TO COM ON APPROP)	568.
H 1184	INFANT MORTALITY FUNDS (REF TO COM ON APPROP) (S 878)	568.
H 1185	MILEAGE AFFECTS CAR VALUE (RE-REF COM ON FINANCE)	568, 728, 752.
H 1186	SCHOOL YEAR/ATTENDANCE STUDY (REF TO COM ON RULES&)	568.
H 1187	ADAP SUBSIDY FUNDS (REF TO COM ON APPROP)	568.
H 1188	INACTIVE HAZ. SITES FUNDS (REF TO COM ON APPROP) (S 872)	569.
H 1189	TOBACCO MUSEUM FUNDS (REF TO COM ON APPROP) ..	569.
H 1190	CONFIRM UTILITIES COMM'N APP'T. (REF TO COM ON PUBUTILS) (H1213)	569.
H 1191	SAMPSON COMM. COLLEGE FUNDS (REF TO COM ON APPROP)	569.
H 1192	BLADEN COMM. COLLEGE FUNDS (REF TO COM ON APPROP)	569.
H 1193	DHR PHARMACY STUDY (REF TO COM ON APPROP)	569.
H 1194	MATERNITY HOME FUNDS (REF TO COM ON APPROP) (S 867)	569.
H 1195	CABLE/SATELLITE TV SALES TAX (REF TO COM ON FINANCE)	569.
H 1196	ONLY PURE MILK TAX EXEMPT (REF TO COM ON FINANCE)	570.

H 1197	DIVIDE DISTRICT COURT 3 (RE-REF COM ON APPROP) (S 880)	570, 765.
H 1198	EVERY CAPITAL FUNDS (REF TO COM ON APPROP)	570.
H 1199	MITCHELL SENIOR CITIZENS FUNDS (REF TO COM ON APPROP)	570.
H 1200	PIEDMONT TRIAD INST. FUNDS-1 (REF TO COM ON APPROP)	570.
H 1201	PIEDMONT TRIAD INST. FUNDS-2 (REF TO COM ON APPROP)	570.
H 1202	UNPAID DEBT TAXED AS INCOME (REPTD TO FINANCE)	570, 727, 840.
H 1203	RECYCLABLE MARKETS LEAD AGENCY (REF TO COM ON APPROP)	570.
H 1204	HIGH-RISK ELDERLY FUNDS (REF TO COM ON APPROP) .	600.
H 1205	SIMPLIFY SOFT DRINK TAX (REF TO COM ON FINANCE)	600.
H 1206	PUBLIC TRANSPORTATION FUNDS (REF TO COM ON APPROP)	600.
H 1207	AIR CARGO AIRPORT FUNDS (REF TO COM ON APPROP) (S 905)	600.
H 1208	AGENCIES PROVIDE BUDGET INFO. (REF TO COM ON APPROP)	600.
H 1209	EPILEPSY PROGRAM FUNDS (REF TO COM ON APPROP) .	601.
H 1210	HAZ. MATERIALS RESPONSE TEAMS (RE-REF COM ON RULES&) (S 922)	601, 716, 920.
H 1211	LRC STUDY FIRE FIGHTERS PENSION (REF TO COM ON RULES&)	601.
H 1212	FLAT ROCK PLAYHOUSE FUNDS (REF TO COM ON APPROP) (S 907)	601.
H 1213	CONFIRM UTILITIES COMM'N APP'T (REF TO COM ON PUBUTILS) (H1190)	601.
H 1214	UPLIFT, INC. FUNDS (REF TO COM ON APPROP)	601.
H 1215	INCREASE MEDICAID REIMBURSEMENT (REF TO COM ON HUMRES) (S 908)	601.
H 1216	NC FOREIGN LANGUAGE CENTER (REF TO COM ON APPROP)	602.
H 1217	ABC PREMISES INSPECTION STUDY (REF TO COM ON RULES&)	602.
H 1218	SHAKESPEARE FESTIVAL FUNDS (REF TO COM ON APPROP) (S 881)	602.
H 1219	NO EXCESSIVE INTEREST DEDUCTION (REF TO COM ON FINANCE)	602.
H 1220	ACADEMIC SCHOLARS PROGRAM FUNDS (REF TO COM ON APPROP)	602.
H 1221	LOCAL TAX OPTION MENU (REF TO COM ON FINANCE)	602.
H 1222	UNDERGROUND STORAGE TANK AMENDS (RATIFIED CH.0538)	602, 853, 875, 914, 925, 1070.
H 1223	ECONOMIC DEVELOPMENT FUNDS (REF TO COM ON APPROP)	602.
H 1224	RECYCLE PAPER TAX INCENTIVE (RATIFIED CH.0539) .	603, 845, 861, 898, 911, 1038, 1045, 1070.
H 1225	LOCAL OPTION OCCUPANCY TAX (ASSIGNED TO FIN-STAT)	603, 759.
H 1226	LRC STUDY RAILROADS (REF TO COM ON RULES&) (S 906)	603.
H 1227	STUDY ENVIRONMENTAL POLICY ACT (REF TO COM ON RULES&)	603.
H 1228	4-H CAMP OPERATION FUNDS (REF TO COM ON APPROP) (S 914)	603.

H 1229	4-H CURRICULUM SUPPORT FUNDS (REF TO COM ON APPROP) (S 937)	603.
H 1230	UNC TUITION COMPUTATION (RE-REF COM ON APPROP)	603, 762.
H 1231	REDUCE STATE UTILITY RATES (REF TO COM ON FINANCE)	604.
H 1232	LRC STUDY REGISTER OF DEEDS (REF TO COM ON RULES&)	604.
H 1233	MITCHELL LOCAL FUNDS (REF TO COM ON APPROP) ...	604.
H 1234	MCDOWELL COUNTY PRISON FUNDS (REF TO COM ON APPROP)	604.
H 1235	DEED STAMP TAX CHANGES (REF TO COM ON FINANCE)	604.
H 1236	REDEFINE DISTRESSED COUNTY (RATIFIED CH.0517)	604, 794, 818, 1005, 1031, 1049.
H 1237	STUDY LOCAL FISCAL INFO. ACT (REF TO COM ON RULES&)	604.
H 1238	TOURING THEATRE ENSEMBLE FUNDS (REF TO COM ON APPROP)	604.
H 1239	EASTERN MUSIC FESTIVAL FUNDS (REF TO COM ON APPROP)	605.
H 1240	PRECINCT CHANGE AMENDMENTS (RE-REF COM ON APPROP) (S 910)	605, 843.
H 1241	REPEAL BUSINESS INVESTMENT CREDIT (POSTPONED INDEFINITELY)	605, 983.
H 1242	REVISE CORPORATE INCOME TAX (REF TO COM ON FINANCE)	605.
H 1243	SEDIMENTATION CONTROL FUNDS (REF TO COM ON APPROP)	605.
H 1244	PULP/PAPER RESEARCH FUNDS (REF TO COM ON APPROP)	605.
H 1245	1991-93 CURRENT OPERATIONS ACT (REF TO COM ON APPROP)	605.
H 1246	EDUCATION PROGRAM FUNDS (REF TO COM ON APPROP) (S 915)	606.
H 1247	BUNCOMBE AREA APPROPRIATIONS (REF TO COM ON APPROP) (S 898)	606.
H 1248	INCREASE BILLBOARD TAX (REF TO COM ON FINANCE)	606.
H 1249	CLOSE TAX LOOPHOLES (REF TO COM ON FINANCE) ...	606.
H 1250	PUBLIC SCHOOL ACT OF 1991 (RE-REF COM ON APPROP)	606, 709.
H 1251	TEACHER ASST. SALARY SCHEDULE (REF TO COM ON PUBEMP)	606.
H 1252	REVENUE DEP'T AUTOMATION FUNDS-2 (REF TO COM ON APPROP)	606.
H 1253	MODIFY MAIL ORDER SALES TAX (REF TO COM ON FINANCE)	607.
H 1254	MANUFACTURED HOME SALES TAX (ASSIGNED TO FIN-W&M)	607, 742.
H 1255	DHR LICENSE FEES/DOC DRUG FEES (Senate)	607, 1134, 1156, 1169.
H 1256	CORPORATE TAX THROWBACK RULE (REF TO COM ON FINANCE)	607.
H 1257	MODIFY REAPPRAISAL SCHEDULE (RE-REF COM ON FIN-LOC&)	607, 964, 1017.
H 1258	LUXURY TAX (REF TO COM ON FINANCE)	607.
H 1259	ADOPTION SUBSIDY INCREASE (REF TO COM ON APPROP)	607.
H 1260	CHILD PROTECTION ACT (REF TO COM ON APPROP)	607.

H 1261	OMNIBUS STUDY BILL-2 (RE-REF COM ON APPROP)	608, 1232.
H 1262	SOU. TECHNOLOGY COUNCIL FUNDS (REF TO COM ON APPROP)	608.
H 1263	LRC STUDY SEX OFFENSE EVIDENCE (REF TO COM ON RULES&)	608.
H 1264	OSHA TRAINING FUNDS (REF TO COM ON APPROP)	608.
H 1265	PENDER/MAPLE HILL FUNDS (REF TO COM ON APPROP)	608.
H 1266	HAZ. WASTE MANAGEMENT FUNDS (REF TO COM ON APPROP)	609.
H 1267	CYSTIC FIBROSIS FUNDS (REF TO COM ON APPROP)	609.
H 1268	CORPORATE INCOME TAX TO 8% (REF TO COM ON FINANCE)	609.
H 1269	TAX BANK DEPOSITS ABOVE \$5,000 (REF TO COM ON FINANCE)	609.
H 1270	MENTAL HEALTH FUNDS (REF TO COM ON APPROP) ...	609.
H 1271	CRAVEN SEPTIC TANK FUNDS (REF TO COM ON APPROP) (S 924)	609.
H 1272	WORKERS COMP PREMIUM TAX UP (ASSIGNED TO FIN-W&M)	609, 1113.
H 1273	LEGISLATIVE RETIREMENT CREDIT (Senate)	609, 757, 962, 991, 1016, 1034, 1053.
H 1274	RAISE DEED STAMP TAX (REF TO COM ON FINANCE) ..	610.
H 1275	INCREASE CORPORATE FRANCHISE TAX (REF TO COM ON FINANCE)	610.
H 1276	MODIFY MACHINERY SALES TAX (REF TO COM ON FINANCE)	610.
H 1277	REMEDY CERTAIN WATER WITHDRAWALS (ASSIGNED TO ENV-WAT&)	610, 786, 791.
H 1278	AUCTIONEERS FEES (REF TO COM ON FINANCE)	610.
H 1279	EQUALIZE HOMESTEAD EXEMPTION (ASSIGNED TO FIN-W&M)	610, 936.
H 1280	STUDY HEALTH DIVISIONS TRANSFER (REF TO COM ON RULES&)	610.
H 1281	INCREASE DAM SAFETY (REF TO COM ON APPROP)	610.
H 1282	PAY TAX BY ELECTRONIC TRANSFER (REF TO COM ON FINANCE)	611.
H 1283	INDEX HOMESTEAD EXEMPTION-2 (ASSIGNED TO FIN-W&M)	611, 964.
H 1284	END CORPORATE TAX BREAKS (REF TO COM ON FINANCE)	611.
H 1285	REDUCE SALES TAX ON FOOD (REF TO COM ON FINANCE)	611.
H 1286	RAISE TOBACCO TAX/REFERENDUM (REF TO COM ON COURTS&)	611.
H 1287	OMNIBUS COURTS BILL (RATIFIED CH.0742)(S 944)	611, 935, 951, 971, 989, 1195, 1200, 1216, 1224, 1237.
H 1288	INCOME TAX/TOBACCO TAX CHANGES (REF TO COM ON FINANCE)	611.
H 1289	LRC STUDY PESTICIDE APPLICATION (REF TO COM ON RULES&)	692.
H 1290	EXAMINE STATE BUDGETING PRACTICES (REF TO COM ON RULES&)	692.
H 1291	NAME SWAIN TREATMENT CENTER (RATIFIED RES.21)	692, 776, 796, 1092.
H 1292	MINORITY TOURISM PROPOSAL (REF TO COM ON RULES&)	692.

H 1293	HEALTH CARE CONFERENCE (REF TO COM ON RULES&)	704.
H 1294	HONOR DESERT STORM POWS (Senate) (S 953) .	704, 716, 731.
H 1295	LRC STUDY ANNEXATION LAW (REF TO COM ON RULES&)	704.
H 1296	CONTINUE ANTITRUST EXEMPT FOR INSUR (REF TO COM ON RULES&)	705.
H 1297	MEMORIALIZE CLYDE ALLISON SHREVE, SR (RE-REF COM ON RULES&) (S 958)	781, 820, 832.
H 1298	SAMPSON COMMISSIONERS (RATIFIED CH.0600)	800, 843, 861, 1105.
H 1299	MEMORIALIZING J. REID POOVEY, SR. (RATIFIED RES.19) (S 956)	824, 936, 945, 1007.
H 1300	MEMORIALIZING CARL W. RULLMAN, SR. (POSTPONED INDEFINITELY) (S 957)	824, 966, 1000, 1036, 1121.
H 1301	CONGRESSIONAL REDISTRICTING-2 (REF TO COM ON CONGREDI)	847.
H 1302	MEMORIALIZING SIPPION BURTON, JR (RATIFIED RES.23)	859, 1031, 1059, 1114, 1129.
H 1303	HOUSE REDISTRICTING (RATIFIED CH.0675)	869, 1133, 1140, 1153, 1194.
H 1304	MODIFY PRISON CAP (RATIFIED CH.0437)	976, 978, 985.
H 1305	HONORING HIGHLAND GAMES-2 (RATIFIED RES.24)	1020, 1042, 1078, 1126, 1131, 1148.
H 1306	INSURANCE ANTITRUST EXEMPTION (REF TO COM ON RULES&)	1018.
H 1307	MEMORIALIZING ANGELINE D. SMITH (REF TO COM ON RULES&) (S 962)	1020.
H 1308	CALDWELL SESQUICENTENNIAL (RATIFIED RES.26)	1062, 1163, 1195.
H 1309	JUDICIAL DISTRICT BOUNDARIES (RATIFIED CH.0746)	1084, 1133, 1191, 1233, 1238.
H 1310	CONGRESSIONAL REDISTRICTING-3 (REF TO COM ON CONGREDI)	1099, 1114.
H 1311	HOUSE REDISTRICTING-2 (REF TO COM ON LEGIREDI) .	1123.
H 1312	1991 ADJOURNMENT RESOLUTION (RATIFIED RES.30)	1142, 1251, 1255, 1256.
H 1313	HONOR RALEIGH BICENTENNIAL (RE-REF COM ON RULES&) (S 966) ...	1165, 1192, 1200, 1211.
H 1314	HONOR CABARRUS BICENTENNIAL (ADOPTED)	1176, 1190, 1197.
S 1	INVITING GOVERNOR (RATIFIED RES.01)	40, 42, 43.
S 2	STATE LOTTERY REFERENDUM-1 (REF TO COM ON FINANCE) (H 15)	1014.
S 4	SUPPORT MILITARY TROOPS-1 (REF TO COM ON RULES&) 43.	
S 9	SUP'T CHAIR STATE EDUC. BOARD-1 (SENATE)	654, 996, 1208, 1228, 1229, 1239, 1246, 1252.
S 10	STATE PERSONNEL TECHNICAL AMENDS (RATIFIED CH.0065) (H 110)	75, 366, 407, 421, 464.
S 11	REPEAL APA SUNSET (RATIFIED CH.0103)	654, 709, 723, 729.
S 12	APA RULE MAKING APPLICABILITY (RATIFIED CH.0477)	698, 702, 918, 995, 1046.
S 16	CONGRESSIONAL REDISTRICTING-1 (RATIFIED CH.0601)	937, 942, 960, 973, 983, 1012, 1055, 1064, 1099, 1101, 1114.

S 17	SENATE REDISTRICTING (RATIFIED CH.0676)	1084, 1176, 1194.
S 20	DRIVER LICENSE EXEMPTIONS (RATIFIED CH.0478) (H 19)	167, 917, 978, 995, 1046.
S 23	NO BLUE LIGHTS ALLOWED (RATIFIED CH.0263)	297, 824, 842, 847.
S 24	NO DRIVER LICENSE FOR DELINQUENT (RE-REF COM ON JUDICI) (H 210)	361, 748.
S 31	CAMPGROUND MEMBERSHIPS (REF TO COM ON JUDICI) .	78.
S 34	MOBILE FINANCE CHARGES-1 (RATIFIED CH.0602)	221, 767, 902, 974, 1074, 1114.
S 39	NO POINTS FOR FIRST ACCIDENT (RATIFIED CH.0713)	338, 768, 871, 957, 972, 1020, 1227, 1233, 1235.
S 41	SAVINGS & LOAN TECHNICAL CHANGES (RATIFIED CH.0707)	137, 767, 846, 1102, 1215, 1235.
S 42	BANKING TECHNICAL AMENDMENTS (RATIFIED CH.0677)	222, 767, 1015, 1155, 1194.
S 43	AUTOMATIC COMMITMENT, INSANITY (RATIFIED CH.0037)	129, 236, 256, 306.
S 44	ROBESON DETENTION EXEMPTION (RATIFIED CH.0002)	88, 93.
S 46	CATAWBA PROPERTY DISPOSITION (RATIFIED CH.0007)	95, 121, 130, 144.
S 47	AMBER LIGHTS FOR REACT VEHICLES (REPTD UNFAV) (H 48)	95, 765.
S 50	SENATE PRESIDENT APPOINTMENTS-1 (RATIFIED CH.0003)	101, 114, 123, 127.
S 51	FUNERAL AND BURIAL TRUST ACT (REF TO COM ON RULES&)	1023.
S 52	DOMESTIC VIOLENCE ARREST (RATIFIED CH.0150)	196, 725, 739, 747, 753.
S 56	GREENSBORO OCCUPANCY TAX (RATIFIED CH.0022) (H 66)	167, 174, 185, 196, 199.
S 58	DENTISTS/GENERAL ANESTHESIA (RATIFIED CH.0678)	616, 1075, 1163, 1165, 1194.
S 61	SENATE PRESIDENT APPOINTMENTS-2 (REF TO COM ON RULES&)	698, 706.
S 62	SENATE PRESIDENT APPOINTMENTS-3 (RATIFIED CH.0714)	698, 706, 1146, 1218, 1235.
S 63	BURKE NAME PRIVATE ROADS (REF TO COM ON LOC&RGI) (H 63)	95.
S 68	PORTS AUTHORITY CONTRACTS (REF TO COM ON STATGOVT) (H 116)	138.
S 69	MONEY TRANSMITTERS ACT (RATIFIED CH.0715)	549, 767, 1016, 1113, 1215, 1235.
S 70	FOREIGN BANK REGULATION (RATIFIED CH.0679)	700, 767, 1016, 1113, 1155, 1168, 1194.
S 71	APPOINTED JUDGES/CONSTITUTION-1 (REF TO COM ON COURTS&)	167.
S 72	APPOINTED JUDGES/STATUTE-1 (REF TO COM ON COURTS&)	159.
S 75	ECONOMIC FUTURE REPORT DATE (REF TO COM ON RULES&)	101.
S 80	HOME CARE LICENSING (POSTPONED INDEFINITELY) (H 168)	428, 628.
S 81	ALZHEIMER'S SPECIAL CARE UNITS (POSTPONED INDEFINITELY) (H 75)	699, 821, 832.

S 84	WATER PROJECTS PLAN (RATIFIED CH.0181)(H 124)	698, 705, 727, 751, 774, 782.
S 87	COMPOSER-LAUREATE (RATIFIED CH.0056)	196, 394, 422, 439.
S 90	DEPLOYED SOLDIER LICENSE RENEWAL (RATIFIED CH.0017)	151, 155, 172, 179.
S 91	SAVINGS BANK ACT (RATIFIED CH.0680)	718, 768, 1082, 1134, 1157, 1169, 1194.
S 92	MEREDITH COLLEGE CENTENNIAL (REF TO COM ON RULES&) (H 121)	100.
S 95	JOINT CONFIRMATION SESSIONS (REF TO COM ON RULES&)	100.
S 101	GREENSBORO MOTOR VEHICLE TAX (RATIFIED CH.0031)	167, 188, 231, 242, 246.
S 102	REST HOME REGULATION REPORT (RATIFIED CH.0041)	168, 180, 318, 343, 367.
S 103	SUBCHAPTER S CLARIFICATION (RATIFIED CH.0752)	1242, 1244, 1247.
S 104	TAX CREDIT ADJUSTMENT (RATIFIED CH.0453)	226, 963, 992, 1011, 1023.
S 107	PRIVILEGE LICENSE TAX CHANGES (RATIFIED CH.0479)	480, 956, 958, 971, 989, 1046.
S 108	SALES TAX ADMINISTRATION CHANGES (RATIFIED CH.0690)	822, 1140, 1158, 1170, 1184, 1185, 1190, 1191, 1225, 1226, 1238, 1244.
S 109	MODIFY TAX SECRECY PROVISION (REF TO COM ON JUDICII)	129.
S 110	GASOLINE TAX AMENDMENTS (RATIFIED CH.0042)	229, 314, 340, 363, 367.
S 111	HIGHWAY USE TAX REDUCTIONS (REF TO COM ON FINANCE)	465.
S 112	DIESEL FUEL TAX REPORT (RATIFIED CH.0182)	226, 728, 758, 779, 782.
S 114	REPEAL INHERITANCE TAX EXEMPTIONS (RATIFIED CH.0454)	297, 963, 992, 1011, 1023.
S 117	ALTERNATIVE TRANSPORTATION PILOT (REF TO COM ON RULES&) (H 152)	676.
S 118	CONFIRM WILLIAM T. GRAHAM-1 (RATIFIED RES.08) (H 162)	100, 151, 172, 196.
S 119	LIGHTS/WIPERS ON SUNSET OFF (RATIFIED CH.0018)	115, 155, 172, 180.
S 121	MEMORIALIZE JUDGE SANDY HARRIS (RATIFIED RES.06)	126, 131.
S 122	CAREER EMPLOYEES UNDER SPA (RATIFIED CH.0354)	168, 844, 928, 943.
S 123	PLUMBING/HTG LICENSE NUMBER (RATIFIED CH.0355)	776, 792, 887, 915, 926, 943.
S 124	DROP-OUT PREVENTION (REF TO COM ON EDUCATN) (H 148)	653.
S 126	REMEDICATION (RATIFIED CH.0279) (H 149)	653, 834, 851, 859.
S 128	REVIEW OF EXEMPT PROPERTY (RATIFIED CH.0034)	159, 188, 233, 242, 269.
S 130	PARK OFFENSES WAIVABLE (RATIFIED CH.0151)	168, 725, 740, 748, 753.
S 131	PRESERVE RAILROAD EASEMENTS (RE-REF COM ON TRANSPOR)	129, 728, 751, 779, 950, 1075, 1214.
S 134	STATE TRAIL DESIGNATION (RATIFIED CH.0115)	465, 715, 733, 736.

S 136	TRAIL SYSTEM LIABILITY (RATIFIED CH.0038)	147, 244, 270, 306.
S 139	BESSEMER CITY WARDS (RATIFIED CH.0293)	168, 843, 861, 875.
S 141	FAMILY PRESERVATION SERVICES (RATIFIED CH.0743) (H 93) ...	810, 951, 955, 1192, 1219, 1237.
S 142	PLASTIC BAGS/NOTICE DEADLINE (RATIFIED CH.0023)	133, 136, 181, 197, 199.
S 144	RECYCLABLES STUDY EXTENDED (RATIFIED CH.0019)	101, 151, 172, 180.
S 145	SCRAP TIRE FEE DISTRIBUTION (ASSIGNED TO ENV-SOLI)	133, 136.
S 146	CONTRACT AGENT FEE (REF TO COM ON TRANSPOR) (H 176)	655.
S 148	FARM PURPOSE INCLUDES PLANTS (RATIFIED CH.0069)	133, 316, 395, 420, 431, 453, 514.
S 149	HORTICULTURE DEFINED (RATIFIED CH.0081)	280, 317, 462, 503, 516, 573.
S 150	RAISING FALLOW DEER (RATIFIED CH.0317)	229, 317, 412, 856, 881, 896, 905.
S 151	PROTECT NATURAL/SCENIC RIVERS (FAILED 3RD READING)	688, 727, 751, 778, 785, 1031, 1212, 1239.
S 153	COMMEMORATE GURNEY HOOD (RATIFIED RES.16)	133, 725, 747, 754.
S 155	IMPROVE APA RULE-MAKING PROCESS (RATIFIED CH.0418) (H 130)	678, 799, 875, 914, 925, 984.
S 157	APA HEARINGS/REPEAL APA SUNSET (RATIFIED CH.0035) (H 153)	151, 236, 257, 298.
S 158	REST HOME REIMBURSEMENT STUDY (RATIFIED CH.0032)	129, 149, 229, 243, 246.
S 161	REST HOME REVIEW TIME LIMIT (RATIFIED CH.0066)	129, 149, 229, 432, 444, 455, 464.
S 164	REST HOME COST REPORTS (RATIFIED CH.0089)	129, 149, 230, 628, 666, 707, 711.
S 165	HOME/COMMUNITY CARE BLOCK GRANT (RATIFIED CH.0241)	655, 716, 775, 792, 808, 817, 825.
S 166	IN-HOME COMMUNITY-BASED FEES (RATIFIED CH.0052)	298, 328, 365, 388, 406, 416.
S 177	ABANDONED PUBLIC CEMETERIES (RATIFIED CH.0036)	147, 187, 222, 234, 256, 298.
S 178	MADISON WATER/SEWER BIDS (RATIFIED CH.0008)	113, 131, 138, 144.
S 181	UNDISCIPLINED JUVENILE (RE-REF COM ON APPROP)	688, 951.
S 182	PARENTAL CONTROL ACT ENFORCEMENT (REF TO COM ON RULES&)	1077.
S 183	STATE COORDINATION/HOMELESS STUDY (RATIFIED CH.0399)	268, 855, 929, 966.
S 185	FOREIGN SALES CORP. TAX CHANGES (REF TO COM ON RULES&) (H 184)	1100.
S 187	INVITATION TO CHIEF JUSTICE (RATIFIED RES.03) (H 171)	92, 96, 97, 101.
S 189	GOVERNMENTAL OPERATIONS CHAIRS (RATIFIED CH.0072)	196, 461, 491, 521, 532.
S 190	MOMEYER INCORPORATED (RATIFIED CH.0242)	246, 709, 788, 804, 814, 825.
S 193	ABOLISH RUNOFF PRIMARY (RE-REF COM ON COURTS&)	678, 701.

S 194	MEMORIALIZE ROBERT SWAIN (RATIFIED RES.15)	710, 723, 730.
S 198	INCREASE BAD CHECK FEE (RATIFIED CH.0455) ..	196, 768, 868, 930, 963, 993, 1012, 1023.
S 205	REPEAL UTILITY FEE SUNSET (RATIFIED CH.0451)	196, 381, 846, 983, 994, 1013, 1018.
S 208	HONOR FOUNDERS OF NC A&T (RATIFIED RES.05) (H 212)	121, 127.
S 209	UNDERCOVER MV INFO CONFIDENTIAL-2 (RATIFIED CH.0053) (H 189)	226, 301, 325, 340, 416.
S 213	HAMMOCKS BEACH PARCEL REMOVED (RATIFIED CH.0318)	268, 767, 858, 883, 898, 905.
S 214	HOLLY SPRINGS ANNEXATION (RATIFIED CH.0243)	653, 718, 788, 805, 814, 825.
S 218	VEHICLE TITLE AMENDMENTS (RATIFIED CH.0183)	465, 728, 752, 779, 782.
S 219	DAVIDSON ANNEXATION (REF TO COM ON LOC&RGII) .	466.
S 223	MONTGOMERY SCHOOLS (RATIFIED CH.0024)	147, 181, 197, 199.
S 225	SCHOOL BOARD REDISTRICTING (RATIFIED CH.0400)	298, 843, 927, 966.
S 227	FRATERNAL BENEFIT SOCIETIES (RATIFIED CH.0476) .	229, 768, 871, 915, 965, 1008, 1017, 1030.
S 230	DEATH BENEFIT DATE CHANGE (REF TO COM ON RULES&)	1065.
S 232	ELECT GOVERNOR EVEN-NUMBER YEAR-2 (RE-REF COM ON RULES&) ..	694, 996, 1036, 1054, 1096, 1118.
S 234	SOLID WASTE SALES TAX REFUND (RATIFIED CH.0356)	226, 867, 930, 943.
S 236	MEMORIALIZE JAMES E. EZZELL JR (RATIFIED RES.09)	173, 198, 222, 226.
S 237	IV-D MEDICAL INSURANCE INFO (RATIFIED CH.0419)	404, 768, 903, 974, 984.
S 238	INDIAN EDUCATION COUNCIL MEMBER (REF TO COM ON STATGOVT)	184.
S 240	COSMETOLOGY REQUIREMENTS (REPTD TO STATGOVT)	530, 766, 819.
S 241	STATE GAMES CARS (RATIFIED CH.0294) .	465, 855, 860, 875.
S 243	PRESIDENT PRO TEM APPOINTMENTS (RATIFIED CH.0043)	196, 316, 342, 367.
S 244	GUBERNATORIAL VETO-3 (MIN REPORT FAILED)	617, 1078, 1079.
S 245	ENHANCE SECURITIES ENFORCEMENT (RATIFIED CH.0456) (H 535)	268, 885, 974, 1023.
S 249	ROAD SERVICE FEE LIMIT OFF (RATIFIED CH.0401)	655, 768, 872, 958, 966.
S 250	EDUCATION GOVERNANCE CHANGES (REF TO COM ON RULES&)	1077.
S 253	DOT BID MANAGEMENT ANALYSIS (RATIFIED CH.0716)	465, 1150, 1217, 1235.
S 257	REST HOME APPEALS PROCESS (RATIFIED CH.0572)	617, 718, 792, 952, 1083, 1103.
S 260	INCORPORATE TOBACCOVILLE (RATIFIED CH.0232)	415, 681, 749, 772, 777, 803, 811.
S 263	HISTORIC SITE TAX EXCLUSION (RATIFIED CH.0717)	1005, 1134, 1215, 1235.
S 267	CPA EDUCATION REQUIREMENTS (RATIFIED CH.0214)	298, 781, 796, 800.

S 269	HIGHWAY-FUND REIMBURSEMENT (RATIFIED CH.0280)	689, 837, 854, 859.
S 270	REMOVE EDUCATIONAL LEAVE LIMIT (RATIFIED CH.0718)	1180, 1184, 1187, 1219, 1235.
S 273	FIREMEN'S ASSOCIATION AMENDMENTS (RATIFIED CH.0420)	617, 886, 960, 973, 984.
S 274	DOT SURPLUS RIGHT-OF-WAY SALES (RE-REF COM ON TRANSPOR)	678, 1112, 1140, 1217.
S 277	SHORTAGE OCCUPATION ASSSISTANCE (RATIFIED CH.0357) (H 315)	530, 844, 928, 943.
S 280	APPLIED TEXTILE TECH. CENTER (RATIFIED CH.0184) (H 302)	655, 734, 748, 782.
S 281	SPECIAL ED. HEARING SUBPOENA (RATIFIED CH.0540)	549, 949, 1075, 1089.
S 282	GIFTED STUDENTS PROCEDURE (RATIFIED CH.0142)	655, 728, 741, 743.
S 283	WEIGHTS & MEASURES ACT CHANGES (RATIFIED CH.0642) ..	689, 787, 808, 817, 841, 981, 1121, 1173.
S 284	AMEND SCHOOL WEAPON PROHIBITION (RATIFIED CH.0622)	361, 981, 1121, 1128.
S 286	INDUSTRIAL COMM'N CHAIR DUTIES (RATIFIED CH.0264)	653, 703, 788, 817, 847.
S 287	EMPLOYMENT SECURITY CHANGES (RATIFIED CH.0421)	322, 330, 865, 904, 975, 984.
S 289	REMOVE DISABILITY AGE LIMIT (REF TO COM ON RULES&)	1021.
S 290	LGERS EMPLOYER/EMPLOYEE DEFINED (REF TO COM ON RULES&)	1021.
S 291	ELECTRONIC JUDGMENT DOCKET (RATIFIED CH.0167)	405, 744, 762, 770.
S 292	DISABILITY INCOME PLAN CHANGES (RE-REF COM ON APPROP)	1021, 1098, 1126.
S 293	MENTAL HEALTH CONTRACT SERVICES (RATIFIED CH.0215)	530, 716, 750, 777, 800.
S 294	ADOPT SUBSTANCE ABUSE PLAN (RATIFIED CH.0216)	530, 717, 758, 779, 795, 800.
S 295	MUSEUM PROPERTY DISPOSITION (REF TO COM ON APPROP)	571.
S 299	INCORPORATE LEWISVILLE (RATIFIED CH.0116)	415, 544, 653, 675, 692, 712, 736.
S 306	SURPLUS PROPERTY CHANGES (RATIFIED CH.0358)	309, 855, 929, 943.
S 307	VEHICLE INSURANCE CANCELLATION (RATIFIED CH.0402)	405, 768, 872, 958, 966.
S 312	TEACHERS DEFERRED COMPENSATION (RATIFIED CH.0389)	655, 750, 775, 853, 929, 948, 954.
S 314	PRISON INDUSTRY FUNDS (REF TO COM ON RULES&) ..	1041.
S 315	PHYSICIANS PROMOTE HIGHWAY SAFETY (RE-REF COM ON JUDICII)	571, 875, 959.
S 316	PODIATRY FEES/LICENSE (RATIFIED CH.0457) (H 346)	888, 963, 993, 1012, 1024.
S 319	EMPLOYMENT SECURITY LATE FILING (RATIFIED CH.0422)	322, 330, 866, 904, 976, 984.
S 320	EMPLOYMENT SECURITY TECH. CHANGE (RATIFIED CH.0458)	655, 704, 866, 904, 977, 1024.
S 321	CONFORM EMPLOYMENT SECURITY LAW (RATIFIED CH.0423) (H 438)	322, 330, 866, 904, 978, 984.
S 324	HOMELESS CHILDREN ASSIGNMENT (RATIFIED CH.0719)	678, 980, 1045, 1212, 1235.

S 325	CONTESTED CASE HEARINGS CHANGE (RATIFIED CH.0143)	655, 726, 740, 743.
S 326	NURSE AID REGISTRY (RATIFIED CH.0185)	655, 716, 750, 778, 782.
S 329	NURSING ACT TECHNICAL AMENDS (RATIFIED CH.0643)	676, 932, 981, 1121, 1173.
S 330	STREAM OBSTRUCTION ENFORCEMENT (RATIFIED CH.0152)	466, 715, 734, 747, 753.
S 333	INSURANCE TECHNICAL AMENDMENTS (RATIFIED CH.0720)	549, 768, 1163, 1218, 1235.
S 336	MEDICAL DATABASE SUNSET (RATIFIED CH.0480) (H 431)	530, 863, 941, 976, 995, 1046.
S 337	FIRE INSPECTOR TECH. AMEND (REF TO COM ON PUBEMP)	428.
S 338	INSURANCE DEPARTMENT FEES (RATIFIED CH.0721) (H 481)	1078, 1149, 1175, 1205, 1236.
S 339	INSURANCE SUBSTANTIVE AMENDS (RATIFIED CH.0644) (H 434)	676, 798, 820, 964, 1120, 1128, 1173.
S 340	ALARM SYSTEMS LICENSING AMENDS (REF TO COM ON RULES&)	1195.
S 341	VITAL RECORDS FEES (RATIFIED CH.0343)	700, 857, 881, 902, 913, 922.
S 342	INSURER SOLVENCY PROGRAM (RATIFIED CH.0681) (H 351)	676, 798, 820, 950, 974, 1060, 1154, 1194.
S 343	ABC LAW AMENDMENTS (RATIFIED CH.0459)	616, 853, 884, 958, 972, 1024.
S 344	CLEAN WATER LOAN TRANSFER (RATIFIED CH.0186)	361, 449, 751, 778, 782.
S 346	BUY OUT-OF-STATE RETIREMENT (REF TO COM ON RULES&)	1021.
S 347	PROPERTY TAX RECORDS SECRECY (RATIFIED CH.0077) (H 375)	268, 285, 478, 508, 542, 551.
S 348	AMEND STATE AUDITOR'S DUTIES (REF TO COM ON STATGOVT)	465.
S 349	SALES OF EASEMENTS TO FILL (REF TO COM ON STATGOVT)	405.
S 350	LIBRARY/HISTORY MUSEUM OPERATIONS (RATIFIED CH.0757)	466, 766, 819, 1006, 1197, 1245, 1248, 1251, 1255.
S 353	STATE LIBRARY COMM'N MEMBERS (REPTD UNFAV)	466, 1006.
S 354	STATE LIBRARY COMM'N DUTIES (REPTD UNFAV)	466, 1006.
S 356	COMMUNICABLE DISEASE PENALTY (RATIFIED CH.0187)	617, 717, 758, 780, 782.
S 357	STATE NUTRITION PROGRAM (RATIFIED CH.0188)	530, 717, 758, 780, 782.
S 358	WIC ADMINISTRATIVE PENALTIES (RATIFIED CH.0691)	571, 717, 758, 1001, 1198, 1210.
S 359	ASBESTOSIS EXAMS/FEES (RATIFIED CH.0481)	655, 766, 865, 963, 994, 998, 1015, 1033, 1046.
S 360	IMMINENT HAZARD REDEFINED (RATIFIED CH.0631)	531, 959, 1110, 1147.
S 362	USS NC BATTLESHIP COMM'N (RATIFIED CH.0073)	309, 330, 494, 523, 532.
S 363	FISHERIES INSPECTION AUTHORITY (REPTD TO AGRICULT)	499, 536, 709.

S 368	MONROE PROPERTY DISPOSITION (RATIFIED CH.0319)	480, 834, 867, 880, 893, 905.
S 369	PERMANENT PLATES ON TRAILERS (REF TO COM ON RULES&)	1065.
S 370	TAX ON TRADED-IN ITEMS (REF TO COM ON RULES&)	1078.
S 372	MENTAL HEALTH CLIENT RECORDS (RATIFIED CH.0359)	617, 717, 865, 930, 943.
S 373	SCIENCE TECHNOLOGY BOARD (RATIFIED CH.0573)	655, 918, 1057, 1103.
S 376	MH/DD/SAS JAIL RECOMMENDATIONS (RATIFIED CH.0482)	617, 717, 859, 930, 978, 995, 1046.
S 377	INACTIVE SITES CLEANUP DISCRETION (RATIFIED CH.0281) (H 572)	549, 727, 837, 854, 859.
S 380	CHILD SUPPORT PAYOR CHANGE (RATIFIED CH.0541)	499, 949, 1075, 1089.
S 384	MOTOR VEHICLE LAW CHANGES (RATIFIED CH.0682)	268, 868, 978, 1111, 1119, 1194.
S 385	STATE EXAMINATIONS SECURE (RATIFIED CH.0360)	309, 767, 820, 855, 929, 943.
S 386	NC MAY EXCEED U.S. AIR/WATER REGS.-1 (RATIFIED CH.0403) (H 589)	698, 706, 766, 866, 931, 966.
S 389	OCEAN AFFAIRS COUNCIL (RATIFIED CH.0320) (H 537)	656, 741, 833, 851, 905.
S 392	RENUNCIATION OF FUTURE INTEREST (RATIFIED CH.0744)	428, 1143, 1229, 1238.
S 393	UNIFORM CUSTODIAL TRUST ACT (REF TO COM ON JUDICI)	689.
S 395	TERMINATION OF SMALL TRUSTS (RATIFIED CH.0747)	428, 1143, 1229, 1245.
S 396	VOTING STOCK BY FIDUCIARY (RATIFIED CH.0460)	298, 886, 973, 1024.
S 397	RAISE CORPORATE COPYING FEE (RATIFIED CH.0574)	466, 1016, 1056, 1070, 1103.
S 398	AMEND BUSINESS CORPORATION ACT (RATIFIED CH.0645)	499, 956, 1110, 1173.
S 399	NOTICE OF CLAIMS AGAINST ESTATES (RATIFIED CH.0282)	268, 781, 796, 841, 850, 859.
S 400	ARCHAEOLOGICAL PERMIT CHANGES (RATIFIED CH.0461)	467, 855, 884, 958, 972, 1024.
S 401	ESC INFORMATION TO CONTROLLER (RATIFIED CH.0603)	428, 438, 959, 966, 1110, 1114.
S 402	STUDENT ACCESS STATE TELEPHONE (RE-REF COM ON APPROP)	1078, 1135.
S 403	INCREASE SENTENCE/ETHNIC ANIMOSITY (RATIFIED CH.0702)	694, 1001, 1208, 1211.
S 405	KING HOLIDAY COMM'N CREATED (REF TO COM ON RULES&)	1220.
S 408	CONTINUE MENTAL HEALTH STUDY (REF TO COM ON RULES&) (H 533)	700.
S 410	ENVIRONMENTAL POLICY ACT AMENDS (ASSIGNED TO ENV-WAT&) (H 410)	677, 798, 812.
S 411	ABOLISH PERINATAL COUNCIL (RATIFIED CH.0518)	531, 936, 1059, 1069.
S 412	WATER TREATMENT OPERATORS AMENDS (RATIFIED CH.0321)	499, 857, 882, 897, 905.
S 413	STATE FLAG DESCRIPTION (RATIFIED CH.0361)	467, 767, 845, 928, 943.
S 414	REVISE LIMITED PARTNERSHIP ACT (RATIFIED CH.0153)	362, 726, 740, 747, 753.

S 415	PAROLE CHANGES (RATIFIED CH.0217) (H 517)	298, 761, 780, 800.
S 417	TRANSMISSION LINE SITING (RATIFIED CH.0189) (H 523)	415, 726, 740, 782.
S 419	FILE BY FAX RULES (RATIFIED CH.0168) ..	268, 744, 762, 770.
S 422	SHERIFFS' COMMISSION CHANGES (RATIFIED CH.0265)	499, 829, 841, 847.
S 423	WRONGFUL DEATH ACTION LIMIT (REF TO COM ON RULES&)	678.
S 424	INDIGENTS REPRESENTATION (RATIFIED CH.0575)	269, 933, 1057, 1103.
S 425	"JUST CAUSE" DEFINED BY RULE (RATIFIED CH.0722)	467, 1131, 1143, 1217, 1236.
S 426	RECODIFY NOTARY PUBLIC ACT (RATIFIED CH.0683)	571, 725, 1134, 1157, 1170, 1194.
S 427	MILITARY OCCUPATIONAL LICENSE (RATIFIED CH.0362)	298, 767, 845, 928, 943.
S 429	AMEND UNEMPLOYMENT HEARINGS (RATIFIED CH.0723)	428, 438, 932, 1039, 1212, 1236.
S 430	WINE DISTRIBUTION ACT AMENDS (REF TO COM ON COURTS&)	698, 705.
S 432	SPECIAL INDUSTRIAL COMM'N FUND (RE-REF COM ON FINANCE)	1086, 1149.
S 433	CASWELL SOLID WASTE OPTIONS (RATIFIED CH.0724)	1081, 1135, 1136, 1144, 1201, 1236.
S 434	WORKER'S COMP. TECHNICAL AMENDS (RATIFIED CH.0703)	811, 904, 1161, 1209, 1211.
S 436	EXPAND/STAGGER PAROLE COMM'N (REF TO COM ON RULES&)	1183.
S 438	DEP'T EHNR CONFIDENTIAL INFO. (RATIFIED CH.0745)	550, 1116, 1229, 1238.
S 440	ECONOMIC DEVELOPMENT BONDS (REF TO COM ON RULES&)	1100.
S 447	FUEL TRUCKS ON LIGHT DUTY ROADS (RATIFIED CH.0202)	405, 728, 758, 779, 785, 789.
S 448	WATERSHED PROGRAM AMENDMENTS (REF TO COM ON RULES&)	677.
S 449	COMMUNITY WATER SYSTEMS PERMITS (RATIFIED CH.0576)	799, 812, 846, 997, 1035, 1053, 1103.
S 450	WATER POLLUTION CONTROL OPERATORS (RATIFIED CH.0623)	982, 1039, 1109, 1118, 1128.
S 451	IMPROVE ENVIRONMENTAL ENFORCEMENT (RATIFIED CH.0725)	694, 766, 1136, 1216, 1236.
S 452	DEVELOPMENT FINANCING BONDS (REF TO COM ON RULES&)	1113.
S 455	AQUATIC WEED CONTROL (ASSIGNED TO ENV-WAT&) (H 554)	480, 536, 799, 813.
S 457	GUILFORD SCHOOL REORGANIZATION (RATIFIED CH.0078) (H 573)	468, 481, 499, 551.
S 458	CONTROLLER TECHNICAL CHANGES (RATIFIED CH.0542)	689, 935, 1059, 1089.
S 459	WELL CONSTRUCTION PENALTIES (ASSIGNED TO ENV-WAT&)	322, 330.
S 460	STRIPED BASS PROCLAMATIONS (RATIFIED CH.0104)	405, 424, 709, 724, 729.
S 462	MEHERRIN INDIAN COMM'N MEMBER (REPTD TO STATGOVT) (H 595)	617, 767, 846.
S 465	TRANSFER COMMUNITY PENALTIES (RATIFIED CH.0566) (H 576) ..	415, 937, 1019, 1025, 1055, 1091.

S 469	ROCKINGHAM OCCUPANCY TAX (RATIFIED CH.0322) (H 591)	405, 857, 878, 890, 905.
S 470	MENTAL HEALTH CLIENT TRANSPORT (RATIFIED CH.0704)	617, 997, 1208, 1211.
S 472	DRIVERS LICENSE CHANGES (RATIFIED CH.0726)	1023, 1112, 1150, 1175, 1203, 1236.
S 473	PROTECT CERTAIN JUDGMENTS (RATIFIED CH.0543)	480, 933, 1058, 1090.
S 474	SEWERAGE DISTRICT EXPANSION (REF TO COM ON RULES&)	822.
S 475	CALDWELL/AVERY BEAR SANCTUARY (RATIFIED CH.0295)	465, 536, 845, 861, 875.
S 476	REGULATE HOME WATER HEATERS (RATIFIED CH.0190)	531, 717, 758, 780, 782.
S 477	NEW HANOVER PUBLIC CONTRACTORS (RATIFIED CH.0117)	550, 718, 732, 737.
S 479	SMITHFIELD ANNEX COUNTRY CLUB (RATIFIED CH.0323)	415, 751, 857, 878, 891, 906.
S 483	UNC-CH EPA PROJECT (RATIFIED CH.0306) (H 489) ..	789, 837, 842, 845, 862, 877, 888.
S 485	ELECTION LAW REFORM (RATIFIED CH.0727)	698, 705, 997, 1208, 1213, 1236.
S 486	ALEXANDER SCHOOL REDISTRICTING (RATIFIED CH.0253)	689, 814, 826, 835.
S 488	REGISTRATIONS FORWARDED PROMPTLY (RATIFIED CH.0363)	699, 857, 929, 943.
S 491	CLAY SCHOOL ELECTIONS (RATIFIED CH.0254)	656, 742, 756, 791, 835.
S 492	AVERY SCHOOL ELECTIONS (RATIFIED CH.0105)	656, 709, 720, 729.
S 493	KINGS MOUNTAIN SCHOOL PAYDAY (RATIFIED CH.0106)	405, 710, 720, 729.
S 495	WILSON JAIL EXEMPTION (POSTPONED INDEFINITELY) ..	466, 682, 706, 720, 746, 756, 791.
S 498	EDGECOMBE/TARBORO SCHOOL MERGER (RATIFIED CH.0404)	616, 838, 867, 895, 909, 966.
S 501	DUPLIN INDUSTRIAL SITE (RATIFIED CH.0390)	698, 706, 787, 857, 879, 891, 954.
S 502	TOPSAIL ISLAND NO-WAKE ZONE (RATIFIED CH.0090)	531, 682, 707, 711.
S 503	CABARRUS RECALL ELECTIONS (RE-REF COM ON JUDICI)	689, 787, 805.
S 505	INCORPORATE WHITSETT (RATIFIED CH.0684) (H 657) ..	1101, 1120, 1134, 1151, 1166, 1194.
S 506	ADOPT STATE MILITARY ACADEMY (RATIFIED CH.0728)	617, 1113, 1215, 1236.
S 507	DELETE SEED/FERTILIZER BOND (RATIFIED CH.0098)	467, 536, 683, 713, 719.
S 508	FEED TESTING FEE ESTABLISHED (RATIFIED CH.0649)	550, 581, 683, 1134, 1158, 1170, 1193.
S 509	AGRICULTURAL PRODUCER AGENCY (RATIFIED CH.0099)	467, 536, 683, 713, 719.
S 510	WAKE ASSESSOR ABC CERTIFICATION (RATIFIED CH.0091)	531, 682, 707, 711.
S 511	WAKE FIREARM REGULATION (RATIFIED CH.0266)	572, 718, 829, 838, 847.
S 516	MENTAL HEALTH INMATE SERVICES (RATIFIED CH.0405)	689, 717, 798, 832, 840, 850, 883, 915, 927, 966.

S 518	ANIMAL RESEARCH INTERFERENCE (RATIFIED CH.0203)	531, 764, 785, 789.
S 520	DURHAM PROPERTY ACQUISITION (RATIFIED CH.0107)	466, 710, 720, 729.
S 522	TRAVEL AND TOURISM BOARD (RATIFIED CH.0406)	656, 704, 726, 837, 854, 916, 927, 967.
S 530	REPEAL FOX HUNTING SUNSET (RATIFIED CH.0483)	531, 545, 935, 999, 1046.
S 531	CHEROKEE INDIANS SOLID WASTE (RE-REF COM ON FINANCE) ..	777, 932, 952, 1031, 1072, 1095.
S 534	COLUMBUS OCCUPANCY TAX (RATIFIED CH.0632) ...	905, 1039, 1068, 1094, 1108, 1128, 1147.
S 537	STATESVILLE ABC PROFITS (RATIFIED CH.0244)	550, 751, 773, 815, 826.
S 538	JOHNSTON SCHOOL BOARD (RATIFIED CH.0218)	694, 751, 773, 800.
S 539	TIME FOR STAMPING CIGARETTES (RATIFIED CH.0708)	467, 1016, 1212, 1235.
S 543	LGERS CREDITABLE SICK LEAVE (REF TO COM ON RULES&) (H 366)	1021.
S 544	REPEAL PENDER TRAPPING LAW (RATIFIED CH.0118)	656, 718, 732, 737.
S 545	PENDER SUBDIVISION REGULATION (RATIFIED CH.0204)	699, 742, 756, 789.
S 549	ORANGE IMPACT TAX (RATIFIED CH.0324)	776, 857, 879, 892, 906.
S 550	MERGED UNIT SUPPLEMENTAL TAX-2 (RATIFIED CH.0325)	811, 857, 882, 897, 906.
S 551	EXEMPT CELLULAR PHONES (RATIFIED CH.0082) (H 636)	481, 623, 627, 632.
S 553	FRANKLIN ROAD HUNTING (RATIFIED CH.0108)	550, 710, 720, 729.
S 555	ON SLOW ORDINANCE PENALTY (RATIFIED CH.0245) (H 660)	656, 742, 756, 792, 826.
S 556	INCORPORATION VOTE/FILING PERIOD (REF TO COM ON COURTS&)	653.
S 557	DANBURY COUNCIL TERMS (RATIFIED CH.0169)	656, 742, 756, 770.
S 564	HIGHLANDS CHARTER REVISED (RATIFIED CH.0519) ..	769, 932, 950, 983, 1009, 1032, 1049, 1069.
S 565	POPLAR TENT BEAUTIFICATION DIST. (RATIFIED CH.0685)	1005, 1086, 1134, 1151, 1167, 1234.
S 569	WILMINGTON ZONING DENSITY BONUS (RATIFIED CH.0119) (H 683)	656, 718, 733, 737.
S 570	HOUSING VIOLATION CLOSINGS (POSTPONED INDEFINITELY) (H 912) ...	656, 768, 1067, 1102.
S 572	MEMORIALIZE RALPH H. SCOTT (REF TO COM ON RULES&)	415.
S 575	CASWELL TRESPASSING TO HUNT (RATIFIED CH.0092)	531, 682, 707, 711.
S 578	PENDER SCHOOL LEASES (RATIFIED CH.0120)	572, 719, 733, 737.
S 580	DURHAM OCCUPANCY TAX INCREASE (RATIFIED CH.0665)	800, 1135, 1152, 1167, 1193.
S 581	INSURANCE GUARANTY ASS'N AMENDS (RATIFIED CH.0424)	677, 799, 820, 903, 974, 984.
S 584	DURHAM PARKING/SCHOOL MERGER VOTE (RE-REF COM ON RULES&)	1178, 1232, 1239.

S 585	DURHAM ASSESSMENTS/LOCAL ROOM TAXES (RATIFIED CH.0577)	467, 710, 963, 1034, 1051,1103.
S 590	HENDERSONVILLE SIDEWALK ASSESSMENT (RATIFIED CH.0438)	776, 834, 918, 939, 947, 1006.
S 592	JACKSON COUNTY SCHOOL ELECTIONS (RATIFIED CH.0170)	657, 742, 756, 770.
S 593	COMMUNITY COLLEGE BOARD ELECTION (POSTPONED INDEFINITELY) (H 743)	464, 630, 669.
S 594	COMM. COLLEGE TRUSTEE ELIGIBILITY (RATIFIED CH.0283) (H 740)	654, 834, 851, 859.
S 597	ATT'Y FEES STATUTORY LIENS (RE-REF COM ON JUDICI)	572, 1098, 1177.
S 599	LEGISLATOR'S CHILDREN IN SCHOOL (RATIFIED CH.0407)	531, 841, 916, 967.
S 606	WAKE JAIL FEES (REF TO COM ON FINANCE)	1065.
S 607	COUNTY HOUSING REHABILITATION (REF TO COM ON FINANCE)	467.
S 611	NASH/EDEN ABC CREDIT SALES (RATIFIED CH.0171)	657, 742, 757, 770.
S 612	NASH/ROCKY MOUNT SCHOOL MERGER (RATIFIED CH.0391)	792, 843, 857, 867, 893, 894,908, 954.
S 615	WILMINGTON/WINTON CHARTER CHANGES (RATIFIED CH.0121)	572, 719, 733, 737.
S 619	WILMINGTON RESTRICTIVE COVENANTS (RATIFIED CH.0122) (H 737)	657, 719, 733, 737.
S 620	ROBESON SCHOOL FUNDING (RATIFIED CH.0364)	770, 866, 885, 909, 924, 943.
S 622	ORANGE OCCUPANCY/VEHICLE TAXES (RATIFIED CH.0392)	616, 857, 880, 892, 954.
S 623	ORANGE/CHATHAM OMNIBUS (RATIFIED CH.0246)	699, 742, 759, 784, 791, 826.
S 624	WINERY SPECIAL EVENTS PERMITS (RATIFIED CH.0267)	572, 766, 795, 807, 847, 848.
S 627	RULINGS ON NO CONTEST MOTIONS (REF TO COM ON COURTS&)	699.
S 628	ASHEBORO CHARTER AMENDED (RATIFIED CH.0233)	657, 787, 806, 811.
S 629	UNION, COLUMBUS JAIL EXEMPTION (RATIFIED CH.0393) 337, 710, 720, 732, 787, 815,855, 895, 954.	
S 631	GREENSBORO CITY SCHOOL ELECTIONS (RATIFIED CH.0123)	689, 719, 733, 737.
S 632	GUILFORD OCCUPANCY TAX (RATIFIED CH.0093)	466, 682, 707, 711.
S 634	EMERALD ISLE BEACH ACCESS (RATIFIED CH.0365) (H 817)	531, 791, 846, 928, 943.
S 635	REMOVE PENALTY/UNPLUGGED SHOTGUN (RATIFIED CH.0366)	532, 545, 845, 928, 944.
S 636	HORSE OWNERS' ASSESSMENT ACT (RE-REF COM ON FINANCE)	789, 885.
S 638	LOCAL ECONOMIC DEVELOPMENT (REF TO COM ON RULES&)	679.
S 639	POWER OF SALE AMENDMENT (RATIFIED CH.0255)	617, 797, 831, 835.
S 640	COLLEGIATE REGISTRATION PLATES-2 (RE-REF COM ON APPROP)	1023, 1149, 1161.
S 642	SPECIAL PERMIT REGULATIONS (RATIFIED CH.0604)	631, 950, 1082, 1115.
S 645	SECURITY INTEREST, RENTS/PROFITS (RATIFIED CH.0234)	657, 765, 786, 811.

- S 646 HONORING DUKE, NCAA CHAMPS
(RATIFIED RES.10) (H 914) 362, 367.
- S 649 AIR CARGO AIRPORT AUTHORITY
(RATIFIED CH.0749) (H 866) 700, 844, 1162, 1180,
1206,1221, 1222, 1241, 1243, 1245.
- S 650 EXPEDITE ADOPTION SERVICES
(REF TO COM ON FINANCE) 550.
- S 652 REDEFINE CLEAN RISK
(RATIFIED CH.0709) 657, 768, 903, 933, 1015,1212, 1235.
- S 654 FERTILIZER STORAGE RULES
(RATIFIED CH.0100) 532, 581, 684, 714, 719.
- S 655 JURY EXPENSE CLARIFICATION
(RATIFIED CH.0729) 572, 1143, 1217, 1236.
- S 656 MOTOR CLUB FINANCIAL STATEMENT
(RATIFIED CH.0425) 572, 768, 904, 975, 984.
- S 657 WORKERS' COMP. THIRD PARTIES
(RATIFIED CH.0408) 698, 705, 857, 930, 967.
- S 658 SCHOOL SUPERINTENDENTS CONTRACTS
(REF TO COM ON EDUCATN) (H 854) 467.
- S 659 NATIONAL GUARD AWARDS
(RATIFIED CH.0367) 532, 767, 846, 928, 944.
- S 660 REPEAL BOAT HULL ANTI-COPYING ACT
(RATIFIED CH.0191) 618, 744, 762, 774, 782.
- S 661 FIDUCIARY SPLIT, COMBINE TRUSTS
(RATIFIED CH.0192) 657, 725, 740, 747, 782.
- S 662 REPEAL INVENTION SERVICES SUNSET
(RATIFIED CH.0235) 657, 726, 740, 748, 795, 807,811.
- S 664 WORTHLESS CHECK JURISDICTION
(RATIFIED CH.0520) 618, 918, 1057, 1069.
- S 665 CITY/COUNTY CLOSE PRIVATE STREET
(RE-REF COM ON JUDICI) 657, 1122, 1215.
- S 669 PORK PROMOTION ASSESSMENT
(RATIFIED CH.0605) (H 729) 481, 536, 684, 727,
917, 1016,1054, 1071, 1115.
- S 670 WILDLIFE OFFICERS JURISDICTION
(RATIFIED CH.0730) 657, 956, 1083, 1096, 1119,1143, 1211, 1236.
- S 678 HUNTER CRIMINAL NEGLIGENCE
(RATIFIED CH.0748) 699, 705, 1143, 1229, 1240,1245.
- S 679 GEOLOGIST PROFESSIONAL CORP.
(RATIFIED CH.0205) 689, 764, 785, 789.
- S 680 JUDGE/JUSTICE AGE LIMIT
(REPTD UNFAV) 618, 765, 786, 796, 841, 1039.
- S 682 HOUSEMOVING AMENDMENTS
(REF TO COM ON RULES&) 1005.
- S 684 CHIROPRACTIC DIAGNOSTIC IMAGING
(RATIFIED CH.0633) 700, 959, 1109, 1119, 1147.
- S 685 EXPAND NOTICE FOR LIEN ON CAR
(RATIFIED CH.0731) 770, 949, 1135, 1216, 1236.
- S 686 DIRECTORS CONFLICT OF INTEREST
(RATIFIED CH.0172) 481, 723, 745, 763, 770.
- S 688 UNDERINSURED MOTORIST COVERAGE-2
(RATIFIED CH.0646) (H 909) 699, 705, 769, 904,
979, 995,1060, 1132, 1138, 1173.
- S 689 SURVIVORSHIP LAW CLARIFIED
(RATIFIED CH.0606) 467, 956, 1096, 1109, 1115.
- S 690 ENFORCE LIEN FOR CAR REPAIRS
(RATIFIED CH.0344) 658, 746, 775, 777, 797, 831,840, 922.
- S 694 SOCIAL WORKER CERTIFICATION
(RATIFIED CH.0732) (H 880) 1078, 1135, 1162, 1218, 1236.

S 696	EASE SATISFACTION OF JUDGMENT (RATIFIED CH.0426)	700, 886, 973, 984.
S 697	TAX MILITARY SAME AS FEDERAL LAW (RATIFIED CH.0439)	770, 964, 999, 1006.
S 700	CERTIFY INTERIOR DESIGNERS (REF TO COM ON RULES&)	1138.
S 703	TRAVEL & TOURISM POLICY ACT (RATIFIED CH.0144)	550, 567, 727, 741, 743.
S 705	INCREASED BID LIMITS (REF TO COM ON STATGOVT) ..	618.
S 706	ENFORCE CORP. ACQUISITION LAW (RATIFIED CH.0440)	572, 889, 974, 995, 1006.
S 707	RETURN OF CONDEMNED PROPERTY (RE-REF COM ON TRANSPOR)	679, 1111, 1140, 1217.
S 710	MENTAL HEALTH CLIENTS' RIGHTS (RE-REF COM ON HUMRES)	677, 798.
S 715	SPORTS CLUB ABC PERMITS (RE-REF COM ON ECONEXPA)	679, 1098.
S 716	GRAND JURY DRUG INVESTIGATION (RATIFIED CH.0686)	532, 976, 1121, 1194.
S 717	EACHPROGRAM AUTHORIZATION (RATIFIED CH.0521)	658, 762, 936, 1059, 1069.
S 719	IMPROVE CONTRACTOR REGULATIONS (REF TO COM ON RULES&)	677.
S 721	VEHICLE EXTENDED WARRANTY ACT (REF TO COM ON RULES&)	1041.
S 722	LEGISLATIVE ETHICS JURISDICTION (REF TO COM ON RULES&)	616.
S 723	CONTROLLED SUBSTANCE EXAMS (RATIFIED CH.0687)	499, 957, 1110, 1119, 1195.
S 724	EXPANDED BASE PERIOD DEFINED (RATIFIED CH.0409)	572, 635, 762, 865, 930, 967.
S 725	PRIVATE PROTECTION BLANK (REF TO COM ON RULES&)	677.
S 726	WORKERS' COMP. SECURITY FUND (REF TO COM ON ECONEXPA)	695.
S 727	REGULATE BED & BREAKFAST INNS (RATIFIED CH.0733)	677, 948, 1062, 1213, 1237.
S 732	PROJECT GENESIS ESTABLISHED (REF TO COM ON EDUCATN) (H 994)	1082.
S 733	FARMS FOR FUTURE ACT AUTHORITY (RATIFIED CH.0734)	982, 1042, 1135, 1208, 1237.
S 734	EXEMPT RESTAURANT HIV DISCRIM. (REF TO COM ON HUMRES)	658.
S 739	MEMORIALIZING W.F.YARBOROUGH, SR. (REF TO COM ON RULES&) (H 919)	654.
S 740	CHIROPRACTIC UTILIZATION REVIEW (REF TO COM ON JUDICII)	654.
S 741	UNRECORDED POWERS OF ATTORNEY (RATIFIED CH.0173)	618, 744, 763, 770.
S 742	REGULATE MEDICAL DEVICES (RATIFIED CH.0578)	678, 798, 936, 1074, 1103.
S 744	EXPUNCTION OF RECORDS (RATIFIED CH.0326)	550, 833, 850, 862, 901, 906.
S 745	UNEMP. BENEFIT DISQUALIFICATION (RATIFIED CH.0219)	658, 704, 769, 795, 796, 800.
S 746	MOTORIZED WHEELCHAIRS (RATIFIED CH.0206)	690, 729, 752, 779, 785, 790.
S 749	HEALTH CARE POWER OF ATTORNEY (REF TO COM ON RULES&)	677.

S 754	SUNDAY BRUNCH ALCOHOL SALES (FAILED 2ND READING)	550, 746, 763.
S 755	AIDS TEST, HIGH RISK PROCEDURE (REF TO COM ON HUMRES)	658.
S 758	TANNING FACILITIES REGULATION (RATIFIED CH.0735)	654, 717, 859, 1058, 1213, 1237.
S 760	NURSING HOME ADMINISTRATORS (RATIFIED CH.0710)	677, 798, 1001, 1214, 1235.
S 762	DRUG POSSESSION IN PRISON (RATIFIED CH.0484)	658, 918, 996, 1046.
S 763	DISMISSAL, DEFERRED PROSECUTION (RATIFIED CH.0109)	499, 710, 724, 729.
S 764	ACTIONS AGAINST SURVEYORS (RATIFIED CH.0268)	654, 781, 808, 817, 848.
S 765	LEGAL AID SERVICES FUND LIMIT (REF TO COM ON JUDICI)	618.
S 766	SCHOOL EMPLOYEE CRIMINAL RECORD (RATIFIED CH.0705) (H1104)	700, 763, 981, 1207, 1211.
S 769	WORKERS COMP FOREIGN INJURIES (RATIFIED CH.0284)	572, 635, 795, 831, 860.
S 770	MH/DD/SA CARE IN JAILS (REF TO COM ON RULES&) (H 428)	678.
S 771	MENTAL HEALTH RECORDS ACCESS (RATIFIED CH.0544)	678, 808, 936, 1059, 1090.
S 773	RECYCLABLE 6-PACK RINGS (RATIFIED CH.0236)	551, 716, 789, 808, 811.
S 774	PROBATE ACCOUNTING PERIOD (RATIFIED CH.0485)	658, 886, 973, 1046.
S 775	MODIFY MARITAL DEDUCTION TRUSTS (RATIFIED CH.0736)	1041, 1162, 1171, 1202, 1237.
S 778	CORPORATE INSTRUMENT EXECUTION (RATIFIED CH.0647)	631, 933, 1058, 1080, 1087, 1138, 1144, 1148, 1173.
S 779	RENTAL HOUSING LISTING SERVICE (RATIFIED CH.0737)	678, 980, 1031, 1067, 1213, 1237.
S 780	RESTRICT FIDUCIARY POWER (RATIFIED CH.0174)	690, 745, 763, 771.
S 788	CLEAN AIR DEMONSTRATION (RATIFIED CH.0738) .	654, 856, 929, 938, 996, 1050, 1198, 1237.
S 790	OCCUPATIONAL BOARD MEMBER PAY (REF TO COM ON RULES&)	1246.
S 791	MEDIATED SETTLEMENT CONFERENCES (RATIFIED CH.0207)	532, 765, 786, 790.
S 792	FALSE BOMB ALARM, FELONY (RATIFIED CH.0648)	695, 962, 1120, 1173.
S 798	CORPORAL PUNISHMENT POLICY (RATIFIED CH.0269)	695, 813, 832, 840, 848.
S 800	NEW EDUCATION BUILDING SPACE (REF TO COM ON STATGOVT)	532.
S 801	PRESIDENT PRO TEM APPOINTMENTS (RATIFIED CH.0739)	699, 710, 1150, 1218, 1237.
S 802	WATER WITHDRAWAL REMEDIES (RATIFIED CH.0567) (H1124)	551, 766, 903, 978, 1064, 1083, 1085, 1091.
S 804	K-2 STUDENTS MUST ATTEND SCHOOL (REF TO COM ON EDUCATN) (H1112)	1038.
S 807	UNC GOVERNORS AMENDS-1 (REF TO COM ON RULES&)	679.

S 809	MARINE FISHERIES LICENSE AMENDS (RATIFIED CH.0545)	811, 935, 1016, 1055, 1072, 1090.
S 811	EDUC. INSTITUTION TAX EXEMPTION (REF TO COM ON FINANCE)	789.
S 812	STATE BUY RECYCLED GOODS (REF TO COM ON RULES&)	1086.
S 814	OLDER ADULTS ADVISORY (RATIFIED CH.0711)	679, 948, 1058, 1212, 1235.
S 816	CERTIFICATE OF NEED TECH. AMENDS (RATIFIED CH.0692)	658, 959, 1110, 1179, 1186, 1192, 1210.
S 817	PROTECT BONA FIDE PURCHASES (RATIFIED CH.0607)	631, 941, 1074, 1115.
S 821	PROTECT WATER SUPPLY WATERSHEDS (ASSIGNED TO ENV-WAT&)	690, 727.
S 822	UNC GOVERNORS AMENDS-2 (RATIFIED CH.0220)	699, 705, 728, 748, 761, 800.
S 828	CLARIFY STATE CLAIMS ASSIGNMENT (RATIFIED CH.0688)	699, 706, 962, 1120, 1129, 1159, 1179, 1181, 1182, 1195.
S 829	COMM.COLLEGE BOARD ELECTIONS (RATIFIED CH.0083)	428, 559, 599, 632.
S 863	STANDARDS LAB FEES ESTABLISHED (RE-REF COM ON APPROP)	1042, 1120, 1162.
S 876	HEALTH CARE ACCESS CONFERENCE (REF TO COM ON RULES&)	776.
S 893	ESC RESERVE FUND (REF TO COM ON RULES&)	1042.
S 899	CONFIRM UTILITIES COMM'N APP'T (RATIFIED RES.17) (H1190)	409, 763, 765, 793, 801.
S 910	PRECINCT CHANGE AMENDMENTS (REF TO COM ON LEGIREDI) (H1240)	1232.
S 917	OMNIBUS STUDY BILL-1 (RATIFIED CH.0754)	1233, 1240, 1242, 1243, 1254.
S 930	NON-VOTED CAPITAL FACILITY BONDS (RATIFIED CH.0760)	922, 1184, 1185, 1202, 1221, 1233, 1249, 1252, 1255.
S 934	SATELLITE JAIL COMMITMENT (RATIFIED CH.0486)	690, 918, 997, 1046.
S 935	INCREASE MARRIAGE LICENSE FEES (RATIFIED CH.0693)	1078, 1135, 1158, 1177, 1188, 1210.
S 943	WATER TRANSFER REGISTRATION (RATIFIED CH.0712)	1100, 1111, 1116, 1135, 1171, 1201, 1235.
S 947	RECOGNIZE NC COMMUNITY COLLEGES (REF TO COM ON RULES&)	678.
S 949	HONOR COMM'RS ON UNIFORM STATE LAWS (RATIFIED RES.28)	832, 1190, 1218, 1238.
S 953	HONOR DESERT STORM POWS (REF TO COM ON RULES&) (H1294)	736.
S 956	MEMORIALIZING J. REID POOVEY, SR (REF TO COM ON RULES&) (H1299)	952.
S 957	MEMORIALIZING CARL W. RULLMAN, SR (RATIFIED RES.22) (H1300)	1105, 1116.
S 958	HONOR CLYDE ALLISON SHREVE, SR (RATIFIED RES.18) (H1297)	831, 836.
S 960	HONORING HIGHLAND GAMES (REF TO COM ON RULES&)	921.
S 961	CONTINUING BUDGET AUTHORIZATION (RATIFIED CH.0452)	979, 1017, 1018.
S 962	MEMORIALIZING ANGELINE D. SMITH (RATIFIED RES.20) (H1307)	1057, 1070.

- S 963 RAISE STATE SALES TAX TO 4%
(REF TO COM ON RULES&) 1078.
- S 964 MEMORIALIZING KITCHEN JOSEY
(RATIFIED RES.25) 1149, 1175.
- S 965 CONTINUING BUDGET AUTHORIZATION-2
(RATIFIED CH.0571) 1092, 1098.
- S 966 HONOR RALEIGH BICENTENNIAL
(RATIFIED RES.27) (H1313) 1178, 1190, 1201, 1211.

ALPHABETICAL INDEX

-A-

ABC - see ALCOHOL REGULATION

ABERNETHY, J. VERNON

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

EXCUSED ABSENCES 45, 69, 89, 107, 111, 124,
139, 155, 243, 327, 344, 365, 492, 509,
725, 749, 833, 869, 884, 903, 934, 981, 1001.
EXCUSED FROM VOTING: S 280 748.
OATH 9.

ABORTION - also see PUBLIC HEALTH

H 83 1991-93 APPROPRIATIONS ACT
(RATIFIED CH.0689) 71, 794, 807, 818, 822, 864,
868, 870, 1063, 1111, 1160, 1172, 1195, 1196, 1199.
H 1255 DHR LICENSE FEES/DOC DRUG FEES
(Senate) 607, 1134, 1156, 1169.
H 1040 FETAL MODEL FOR ABORTION CLIENT
(REF TO COM ON HUMRES) 368.
H 1110 FETAL MURDER (REF TO COM ON JUDICI) 401.

ABSENTEE VOTING - see ELECTIONS

ADJOURNMENT MOTION IN HONOR OF GREENSBORO,
AN ALL-AMERICAN CITY 902.

ADJOURNMENT MOTION IN MEMORY OF

CARTER, ASTRONAUT SONNY 258, 270.
EZZELL, SEN. JAMES E., JR. 45.
GREGORY, CARSON W. 93.
REID, HARVEY, JR. 116.

ADMINISTRATION OF ESTATES

S 399 NOTICE OF CLAIMS AGAINST ESTATES
(RATIFIED CH.0282) 268, 781, 796, 841, 850, 859.
S 774 PROBATE ACCOUNTING PERIOD
(RATIFIED CH.0485) 658, 886, 973, 1046.
H 289 VALIDATE CONVEYANCES
(RATIFIED CH.0489) 158, 313, 342, 1002, 1027, 1046.
S 396 VOTING STOCK BY FIDUCIARY
(RATIFIED CH.0460) 298, 886, 973, 1024.

ADMINISTRATIVE PROCEDURE

S 157 APA HEARINGS/REPEAL APA SUNSET
(RATIFIED CH.0035)(H 153) 151, 236, 257, 298.
H 153 APA HEARINGS/REPEAL APA SUNSET
(RE- REF COM ON APPROP)(S 157) 84, 198.
S 12 APA RULE MAKING APPLICABILITY
(RATIFIED CH.0477) 698, 702, 918, 995, 1046.
H 301 CEMETERY ACT AMENDMENTS
(RATIFIED CH.0653) 163, 305, 735, 759, 773, 1174.

ADMINISTRATIVE PROCEDURE —Con'd.

- S 155 IMPROVE APA RULE-MAKING PROCESS
(RATIFIED CH.0418)(H 130) . 678, 799, 875, 914, 925, 984.
- H 130 IMPROVE APA RULE-MAKING PROCESS
(REF TO COM ON JUDICII)(S 155) 81.
- S 11 REPEAL APA SUNSET
(RATIFIED CH.0103) 654, 709, 723, 729.

ADMINISTRATIVE RULES - see ADMINISTRATIVE PROCEDURE**ADOPTION**

- H 479 ADOPTION CONSENT
(RATIFIED CH.0667) 208, 271, 302, 1002, 1143, 1166, 1193.
- H 640 ADOPTION EXPENSES
(RATIFIED CH.0335) 262, 487, 523, 906.
- H 864 MINORITY/HANDICAP ADOPTION FUNDS
(REF TO COM ON APPROP)(S 271) 322.

AERONAUTICS

- H 386 AERONAUTICS AMENDMENTS
(RATIFIED CH.0430) 193, 565, 620, 984.
- S 649 AIR CARGO AIRPORT AUTHORITY
(RATIFIED CH.0749)(H 866) ... 700, 844, 1162, 1180, 1206,
1221, 1222, 1241, 1243, 1245.
- H 866 AIR CARGO AIRPORT AUTHORITY
(REF TO COM ON TRANSPOR)(S 649) 331.
- H 719 MUNICIPAL AIRPORT AUTHORITIES
(RATIFIED CH.0501) 279, 413, 463, 507, 1048.

AGING - see PUBLIC HEALTH**AGRICULTURE**

- H 550 AGRICULTURAL FAIRS COUNCIL
(REF TO COM ON STATGOVT) 218.
- S 509 AGRICULTURAL PRODUCER AGENCY
(RATIFIED CH.0099) 467, 536, 683, 713, 719.
- H 468 BEE AND HONEY ACT ENFORCEMENT
(RATIFIED CH.0349) 207, 232, 260, 345,
376, 387, 887, 908, 923.
- S 507 DELETE SEED/FERTILIZER BOND
(RATIFIED CH.0098) 467, 536, 683, 713, 719.
- S 733 FARMS FOR FUTURE ACT AUTHORITY
(RATIFIED CH.0734) 982, 1042, 1135, 1208, 1237.
- S 508 FEED TESTING FEE ESTABLISHED
(RATIFIED CH.0649) 550, 581, 683, 1134, 1158, 1170, 1193.
- S 654 FERTILIZER STORAGE RULES
(RATIFIED CH.0100) 532, 581, 684, 714, 719.
- H 978 FORESTRY LIMIT NUISANCE LIABILITY
(Senate) 354, 424, 462, 518.
- S 636 HORSE OWNERS' ASSESSMENT ACT
(RE-REF COM ON FINANCE) 789, 885.
- S 149 HORTICULTURE DEFINED
(RATIFIED CH.0081) 280, 317, 462, 503, 516, 573.
- H 1061 MILK DISTRIBUTORS' BOND
(POSTPONED INDEFINITELY) 371, 424, 683, 885.
- S 295 MUSEUM PROPERTY DISPOSITION
(REF TO COM ON APPROP) 571.

AGRICULTURE—Con'd.

- H 420 OMNIBUS TECHNICAL AMENDMENTS
(RATIFIED CH.0636) 201, 594, 664, 1002, 1122, 1127, 1147.
- H 390 PLANT PEST CERTIFICATION FEES
(RATIFIED CH.0442) 193, 283, 301, 312, 1006.
- S 669 PORK PROMOTION ASSESSMENT
(RATIFIED CH.0605)(H 729) 481, 536, 684, 727,
917, 1016, 1054, 1071, 1115.
- H 729 PORK PROMOTION ASSESSMENT
(RE-REF COM ON FINANCE)(S 669) 280, 316, 394.
- S 150 RAISING FALLOW DEER
(RATIFIED CH.0317) 229, 317, 412, 856, 881, 896, 905.
- H 464 SEED FEES REVISED
(RATIFIED CH.0588) . 207, 314, 363, 375, 1076, 1088, 1104.
- H 521 STATE FAIR BORROWING INCREASE
(REF TO COM ON FINANCE) 214.
- H 553 TOBACCO CHECK-OFF
(RATIFIED CH.0102) 219, 304, 379, 407, 422, 430, 719.
- H 1010 WHOLESALE DRUG DISTRIB. LICENSE
(RATIFIED CH.0699) 358, 433, 528, 703, 750,
794, 816, 827, 1178, 1197, 1210.

AID TO BLIND

- S 348 AMEND STATE AUDITOR'S DUTIES
(REF TO COM ON STATGOVT) 465.

AIDS - see PUBLIC HEALTH and CRIMINAL PROCEDURE**AIR CARGO**

- S 649 AIR CARGO AIRPORT AUTHORITY
(RATIFIED CH.0749)(H 866) 700, 844, 1162, 1180,
1206, 1221, 1222, 1241, 1243, 1245.
- H 883 STATE BUDGET HEARINGS (REF TO COM ON JUDICII) 333.

ALAMANCE COUNTY

- H 641 BID LIMITS/ALAMANCE COURTHOUSE
(Senate) 263, 552, 575, 1077, 1080.
- H 678 BURLINGTON SURPLUS PROPERTY
(RATIFIED CH.0198) 268, 379, 406, 783.
- H 39 BURLINGTON/ALAMANCE SCHOOL LINES
(REF TO COM ON LOC&RGII) 61.
- H 823 BURLINGTON/GRAHAM ABC SALES
(REF TO COM ON LOC&RGII) 297.
- H 240 GIBSONVILLE TAX REFUND EXTENDED
(RATIFIED CH.0524) 136, 156, 962, 998, 1069.

ALARM SYSTEMS

- S 340 ALARM SYSTEMS LICENSING AMENDS
(REF TO COM ON RULES&) 1195.

ALBERTSON, CHARLES W.

- BILLS INTRODUCED - see APPENDIX
- COMMITTEE ASSIGNMENTS - see APPENDIX
- CONFEREES: H 796.
- EXCUSED ABSENCES 73, 155, 304, 344.
- OATH 9.

ALCOHOL REGULATION

H 1029	ABC BLANK BILL (REF TO COM ON RULES&)	360.
H 770	ABC CATERING SERVICE PERMIT (RATIFIED CH.0669)	291, 856, 899, 911, 1155, 1166, 1193.
H 196	ABC CREDIT CARD SALES (REF TO COM ON JUDICIII)	108.
S 343	ABC LAW AMENDMENTS (RATIFIED CH.0459)	616, 853, 884, 958, 972, 1024.
H 1217	ABC PREMISES INSPECTION STUDY (REF TO COM ON RULES&)	602.
H 568	ABC TAXES INCREASED (REF TO COM ON FINANCE)	221.
H 911	ALUMNI ASS'N ABC PERMITS (RATIFIED CH.0340)	337, 446, 489, 907.
H 989	HOTEL GUEST ROOM CABINETS (RATIFIED CH.0565)	355, 411, 426, 463, 527, 584, 627, 633, 1022, 1043, 1066, 1091.
H 94	LOCALS INSPECT ABC PREMISES (REPTD UNFAV)(S 25)	74, 271.
H 590	NO OPENED ALCOHOL IN CARS (RE-REF COM ON JUDICI)	229, 642, 685.
H 767	RESTAURANT ABC PERMITTEES (FAILED 2ND READING)	290, 445, 488.
S 715	SPORTS CLUB ABC PERMITS (RE-REF COM ON ECONEXPA)	679, 1098.
H 842	STUDY ABC STORE PRIVATIZATION (REF TO COM ON RULES&)	319.
S 754	SUNDAY BRUNCH ALCOHOL SALES (FAILED 2ND READING)	550, 746, 763.
H 827	UNDERAGE ABC SALE PENALTY (REF TO COM ON JUDICIII)	307.
S 430	WINE DISTRIBUTION ACT AMENDS (REF TO COM ON COURTS&)	698, 705.
S 624	WINERY SPECIAL EVENTS PERMITS (RATIFIED CH.0267)	572, 766, 795, 807, 847, 848.

ALEXANDER COUNTY

H 611	ALEXANDER/GUILFORD SCHOOL ELECTIONS (RATIFIED CH.0695)	245, 305, 324, 1093, 1150, 1197, 1210.
S 486	ALEXANDER SCHOOL REDISTRICTING (RATIFIED CH.0253)	689, 814, 826, 835.

ALLEGHENY COUNTY

H 775	ALLEGHANY OCCUPANCY TAX (RATIFIED CH.0162)	291, 345, 374, 386, 754.
-------	---	--------------------------

ALZHEIMERS - see PUBLIC HEALTH**ANDERSON, GERALD L.**

BILLS INTRODUCED - see APPENDIX	
COMMITTEE ASSIGNMENTS - see APPENDIX	
ESCORT FOR PRISONERS OF WAR (OPERATION DESERT STORM)	
OATH	731.
	9.

ANSON COUNTY

- H 265 ANSON FORCE ACCOUNT LIMIT (Senate) . . . 142, 145, 153.
 H 264 ANSON SCHOOL ELECTIONS
 (RATIFIED CH.0033) 142, 145, 153, 246.
 H 1160 BEAR LICENSE REPEAL/RESTRICT FISHING
 (RATIFIED CH.0671) 513, 536, 651, 703,
 869, 963, 1014, 1033, 1193.
 H 263 LOCAL SOLID WASTE CONTACTS
 (RATIFIED CH.0029) 142, 145, 154, 199.

APPROPRIATIONS - LOCAL

- H 292 AFRO-AMERICAN CENTER FUNDS
 (REF TO COM ON APPROP) 158.
 H 359 ARTHRITIS PATIENT FUNDS
 (REF TO COM ON APPROP) 184.
 H 1198 AVERY CAPITAL FUNDS (REF TO COM ON APPROP) . 570.
 H 1148 BOOST FUNDS (REF TO COM ON APPROP)(S 875) . . . 480.
 H 1135 BUSINESS INCUBATOR FUNDS
 (REF TO COM ON APPROP) 427.
 H 619 C.S. BROWN SCHOOL FUNDS
 (REF TO COM ON APPROP) 246.
 H 200 CHADBOURN MUSEUM FUNDS
 (REF TO COM ON APPROP) 108.
 H 1239 EASTERN MUSIC FESTIVAL FUNDS
 (REF TO COM ON APPROP) 605.
 H 1152 FAYETTEVILLE BUS. LEAGUE FUNDS
 (REF TO COM ON APPROP) 497.
 H 1212 FLAT ROCK PLAYHOUSE FUNDS
 (REF TO COM ON APPROP)(S 907) 601.
 H 889 LENOIR COUNTY ARTS FUNDS
 (REF TO COM ON APPROP) 334.
 H 358 MECKLENBURG AREA FUNDS
 (REF TO COM ON APPROP) 184.
 H 360 MECKLENBURG MENTAL HEALTH FUNDS
 (REF TO COM ON APPROP) 184.
 H 1233 MITCHELL LOCAL FUNDS
 (REF TO COM ON APPROP) 604.
 H 1199 MITCHELL SENIOR CITIZENS FUNDS
 (REF TO COM ON APPROP) 570.
 H 656 NC RURAL WATER ASS'N FUNDS
 (REF TO COM ON APPROP) 265.
 H 1265 PENDER/MAPLE HILL FUNDS
 (REF TO COM ON APPROP) 608.
 H 1200 PIEDMONT TRIAD INST. FUNDS-1
 (REF TO COM ON APPROP) 570.
 H 1201 PIEDMONT TRIAD INST. FUNDS-2
 (REF TO COM ON APPROP) 570.
 H 227 RANDLEMAN RESERVOIR FUNDS
 (REF TO COM ON APPROP)(S 201) 124.
 H 618 SEABOARD RENOVATION FUNDS
 (REF TO COM ON APPROP) 246.
 H 1262 SOU. TECHNOLOGY COUNCIL FUNDS
 (REF TO COM ON APPROP) 608.
 H 294 THE RELATIVES FUNDS (REF TO COM ON APPROP) . 158.
 H 1189 TOBACCO MUSEUM FUNDS
 (REF TO COM ON APPROP) 569.

APPROPRIATIONS - LOCAL - Con'd.

H 1238	TOURING THEATRE ENSEMBLE FUNDS (REF TO COM ON APPROP)	604.
H 1149	TRANSYLVANIA DISPUTE SETTLEMENT (REF TO COM ON APPROP)	480.
H 1214	UPLIFT, INC. FUNDS (REF TO COM ON APPROP)	601.
H 614	WAKE SENIOR CENTER FUNDS (REF TO COM ON APPROP)	245.
H 207	WALTER REED HOUSE FUNDS (REF TO COM ON APPROP)	112.

APPROPRIATIONS - PUBLIC

H 639	15% CUT HIGH-PAID EMPLOYEES (REF TO COM ON APPROP)	262.
H 83	1991-93 APPROPRIATIONS ACT (RATIFIED CH.0689)(S 88)	71, 794, 807, 818, 822, 864, 868, 870, 1063, 1111, 1160, 1172, 1195, 1196, 1199.
H 1245	1991-93 CURRENT OPERATIONS ACT (REF TO COM ON APPROP)	605.
H 1228	4-H CAMP OPERATION FUNDS (REF TO COM ON APPROP)(S 914)	603.
H 1229	4-H CURRICULUM SUPPORT FUNDS (REF TO COM ON APPROP)(S 937)	603.
H 1217	ABC PREMISES INSPECTION STUDY (REF TO COM ON RULES&)	602.
H 1220	ACADEMIC SCHOLARS PROGRAM FUNDS (REF TO COM ON APPROP)	602.
H 1187	ADAP SUBSIDY FUNDS (REF TO COM ON APPROP) ..	568.
H 1144	ADAP/SOUTHERN FUNDS (REF TO COM ON APPROP)(S 854)	479.
S 294	ADOPT SUBSTANCE ABUSE PLAN (RATIFIED CH.0216)	530, 717, 758, 779, 795, 800.
H 1259	ADOPTION SUBSIDY INCREASE (REF TO COM ON APPROP)	607.
H 1208	AGENCIES PROVIDE BUDGET INFO. (REF TO COM ON APPROP)	600.
H 1167	AGRIC., FORESTRY, SEAFOOD STUDY (REF TO COM ON RULES&)	529.
H 415	AGRICULTURAL FIN. AUTH. FUNDS (REF TO COM ON APPROP)(S 301)	200.
H 337	AGRICULTURE MARKETING FUNDS (REF TO COM ON APPROP)(S 309)	175.
H 1207	AIR CARGO AIRPORT FUNDS (REF TO COM ON APPROP)(S 905)	600.
S 117	ALTERNATIVE TRANSPORTATION PILOT (REF TO COM ON RULES&)(H 152)	676.
H 145	ALZHEIMER'S ASSOCIATION FUNDS (REF TO COM ON APPROP)(S 79)	83.
H 336	ANIMAL SAFETY FUNDS (REF TO COM ON APPROP)	175.
H 1174	APICULTURE SUPPORT FUNDS (REF TO COM ON APPROP)(S 883)	548.
H 1139	AYCOCK HISTORIC SITE FUNDS (REF TO COM ON APPROP)	450.
H 1158	BALANCE BUDGET HIGHWAY TRUST FUND (REF TO COM ON FINANCE)	498.

APPROPRIATIONS - PUBLIC—Con'd.

H 580	BANK SOUNDNESS INFORMATION (RE-REF COM ON RULES&)	227, 262, 1073.
H 328	BEAUFORT COMM. COLLEGE FUNDS (REF TO COM ON APPROP)	174.
H 254	BEP/SCHOOL CONSTRUCTION BONDS (REF TO COM ON EDUCATN)(S 169)	141.
H 255	BEP/SMALL SCHOOL FUNDS BLANK (REF TO COM ON RULES&)(S 171)	141.
H 251	BEP/SOCIAL SERVICES FUNDING BLANK (REF TO COM ON APPROP)(S 170)	140.
H 1192	BLADEN COMM. COLLEGE FUNDS (REF TO COM ON APPROP)	569.
H 238	BROUGHTON HOSPITAL A/C FUNDS (REF TO COM ON APPROP)	136.
H 906	BROUGHTON HOSPITAL FUNDS (REF TO COM ON APPROP)	336.
H 631	BRUNSWICK TOWN SITE FUNDS (REF TO COM ON APPROP)	254.
H 1247	BUNCOMBE AREA APPROPRIATIONS (REF TO COM ON APPROP)(S 898)	606.
H 768	CAPE FEAR COMM. COLLEGE FUNDS (REF TO COM ON APPROP)(S 568)	290.
H 369	CAPITAL IMPROVEMENTS BONDS (REF TO COM ON APPROP)	190.
H 1260	CHILD PROTECTION ACT (REF TO COM ON APPROP)	607.
H 174	CHILD PROTECTIVE SERVICES FUNDS (REF TO COM ON APPROP)	99.
H 654	CIVIL JUSTICE ACT FUNDS (REF TO COM ON APPROP)	264.
H 1134	COASTAL BOATING GUIDE FUNDS (REF TO COM ON APPROP)(S 844)	427.
H 1180	COMMUNITY COLL. EQUIPMENT FUNDS (REF TO COM ON APPROP)	549.
H 910	COMMUNITY-BASED ALTERN. FUNDS (REF TO COM ON APPROP)	336.
H 1138	COMMUNITY-BASED ALTERN. FUNDS (REF TO COM ON APPROP)(S 847)	450.
H 1153	COMPUTER SERVICES STUDY (REF TO COM ON RULES&)	497.
H 109	CONTINUE PERSONNEL STUDY COMM'N (REF TO COM ON RULES&)(S 64)	77.
H 236	CONTINUE WETLANDS STUDY (REF TO COM ON RULES&)	132.
S 961	CONTINUING BUDGET AUTHORIZATION (RATIFIED CH.0452)	979, 1017, 1018.
S 965	CONTINUING BUDGET AUTHORIZATION-2 (RATIFIED CH.0571)	1092, 1098.
H 17	COUNTY CLEAN-UP FUNDS (RE-REF COM ON APPROP)(S 14)	47, 86.
H 1137	COVERED SHELTERS FOR VISITORS (REF TO COM ON APPROP)	450.
H 1271	CRAVEN SEPTIC TANK FUNDS (REF TO COM ON APPROP)(S 924)	609.
H 1183	CRISIS STABILIZATION FUNDS (REF TO COM ON APPROP)	568.
H 1176	CUMBERLAND MENTAL HEALTH FACILITY FUNDS (REF TO COM ON APPROP)(S 865)	548.

APPROPRIATIONS - PUBLIC—Con'd.

H 1101	CVCC HOSIERY TECH. FUNDS (REF TO COM ON APPROP)	400.
H 1267	CYSTIC FIBROSIS FUNDS (REF TO COM ON APPROP) .	609.
H 466	DAY CARE PROVIDER RECORDS (REF TO COM ON JUDICIII)	207.
S 230	DEATH BENEFIT DATE CHANGE (REF TO COM ON RULES&)	1065.
H 1193	DHR PHARMACY STUDY (REF TO COM ON APPROP) .	569.
H 1169	DHR SINGLE PORTAL FUNDS (REF TO COM ON APPROP)	529.
H 1171	DISCOVERY PLACE CAPITAL FUNDS (REF TO COM ON APPROP)	530.
H 1172	DISCOVERY PLACE OPERATING FUNDS (REF TO COM ON APPROP)	530.
H 1197	DIVIDE DISTRICT COURT 3 (RE-REF COM ON APPROP)(S 880)	570, 765.
H 91	DOMESTIC VIOLENCE FUNDS (REF TO COM ON APPROP)(S 18)	72.
H 859	DOMICILIARY HOME RATE INCREASE (REF TO COM ON APPROP)(S 708)	321.
H 261	DOT CONDEMNATION STUDY (RE-REF COM ON APPROP)	142, 764.
H 205	EARLY ED./HANDICAPPED FUNDS (REF TO COM ON APPROP)(S 138)	109.
H 187	ECONOMIC DEVELOPMENT FUNDS (REF TO COM ON APPROP)(S 180)	105.
H 1223	ECONOMIC DEVELOPMENT FUNDS (REF TO COM ON APPROP)	602.
H 49	ECU NURSE MIDWIFERY FUNDS (REF TO COM ON APPROP)	62.
H 2	EDUCATION IMPROVEMENT ACT (RE-REF COM ON APPROP)(S 199)	42, 284, 704, 713.
H 1246	EDUCATION PROGRAM FUNDS (REF TO COM ON APPROP)(S 915)	606.
H 459	EMPLOYMENT AND TRAINING PROGRAM (REF TO COM ON APPROP)(S 421)	206.
H 555	EMPLOYMENT DISCRIMINATION STUDY (RE- REF COM ON RULES&)	219, 224, 761, 843.
H 1070	ENVIRONMENTAL POLICY STUDY (REF TO COM ON RULES&)	382.
H 1209	EPILEPSY PROGRAM FUNDS (REF TO COM ON APPROP)	601.
H 150	EQUITY IN EDUCATION FUNDING (REF TO COM ON APPROP)(S 127)	84.
H 93	FAMILY PRESERVATION SERVICES (ASSIGNED TO HUM-CHL&)(S 141)	73, 251.
S 141	FAMILY PRESERVATION SERVICES (RATIFIED CH.0743)(H 93)	810, 951, 955, 1192, 1219, 1237.
H 178	FAYETTEVILLE TECH. EQUIP. FUNDS (REF TO COM ON APPROP)(S 184)	100.
H 480	FORT FISHER FUNDS (REF TO COM ON APPROP)	209.
H 203	FOSTER CARE FUNDS (REF TO COM ON APPROP) ...	109.
H 268	FREE VACCINES-1 (REF TO COM ON APPROP)	146.
H 1179	FUNDS TO GAIN COMPETITIVE EDGE (REF TO COM ON APPROP)	549.

APPROPRIATIONS - PUBLIC—Con'd.

H 229	HAYWOOD COMM. COLLEGE FUNDS (REF TO COM ON APPROP)	125.
H 1266	HAZ. WASTE MANAGEMENT FUNDS (REF TO COM ON APPROP)	609.
H 1147	HEAD START FUNDS (REF TO COM ON APPROP)(S 871)	480.
H 161	HEALTH DIRECTOR INTERNS (REF TO COM ON APPROP)	90.
H 99	HEALTH DIRECTOR ORIENTATION (REF TO COM ON APPROP)	74.
H 1204	HIGH-RISK ELDERLY FUNDS (REF TO COM ON APPROP)	600.
H 1156	HISTORIC ATTRACTION FUNDS (REF TO COM ON APPROP)(S 862)	498.
H 188	HOMELESS OUTREACH FUNDS (REF TO COM ON APPROP)	105.
H 341	HORSE RACING STUDY-2 (RE-REF COM ON APPROP)	176, 629.
H 272	HOUSING TRUST FUND FUNDS (REF TO COM ON APPROP)(S 285)	147.
H 72	IN-HOME FUNDS (REF TO COM ON APPROP)(S 76) ...	67.
H 1188	INACTIVE HAZ. SITES FUNDS (REF TO COM ON APPROP)(S 872)	569.
H 1281	INCREASE DAM SAFETY (REF TO COM ON APPROP) .	610.
H 56	INDUSTRIAL ECON.DEV. FUNDS (REF TO COM ON APPROP)	64.
H 1184	INFANT MORTALITY FUNDS (REF TO COM ON APPROP)(S 878)	568.
H 429	JAILS RECOMMENDATIONS FUNDS (REF TO COM ON APPROP)(S 375)	202.
H 548	LEGISLATURE COVERAGE FUNDS (REF TO COM ON APPROP)	218.
H 1151	LIFEGUARDIANSHIP PROGRAM FUNDS (REF TO COM ON APPROP)	480.
H 73	LONG-TERM CARE OMBUDSMAN FUNDS (REF TO COM ON APPROP)(S 77)	68.
H 1113	LOTTERY FOR CAPITAL PROJECTS (REF TO COM ON COURTS&)	402, 865, 913.
H 1194	MATERNITY HOME FUNDS (REF TO COM ON APPROP)(S 867)	569.
H 1150	MAYO FEASIBILITY STUDY FUNDS (REF TO COM ON APPROP)	480.
H 1234	MCDOWELL COUNTY PRISON FUNDS (REF TO COM ON APPROP)	604.
H 560	MECKLENBURG ASST. DA FUNDS (REF TO COM ON APPROP)(S 235)	219.
H 271	MECKLENBURG MED. EXAMINER FUNDS (REF TO COM ON APPROP)	147.
H 120	MEDICAL MALPRACTICE STUDY (REF TO COM ON RULES&)(S 65)	80.
H 1270	MENTAL HEALTH FUNDS (REF TO COM ON APPROP)	609.
H 531	MENTAL HEALTH/DEVELOPMENTAL DISABILITY/ SUBSTANCE ABUSE SERVICES FUNDS-2 (REF TO COM ON APPROP)(S 445)	216.
H 1168	MILK SANITATION FUNDS (REF TO COM ON APPROP)	529.

APPROPRIATIONS - PUBLIC—Con'd.

H 1173	MINORITY HEALTH FUNDS (REF TO COM ON APPROP)	548.
H 864	MINORITY/HANDICAP ADOPTION FUNDS (REF TO COM ON APPROP)(S 271)	322.
H 502	MUSEUM OF CAPE FEAR FUNDS (REF TO COM ON APPROP)	211.
H 1216	NC FOREIGN LANGUAGE CENTER (REF TO COM ON APPROP)	602.
H 1143	NC MUSEUM OF HISTORY FUNDS (REF TO COM ON APPROP)(S 843)	464.
S 930	NON-VOTED CAPITAL FACILITY BONDS (RATIFIED CH.0760)	922, 1184, 1185, 1202, 1221,1233, 1249, 1252, 1255.
H 313	NURSING EDUC./TRAINING FUNDS (REF TO COM ON APPROP)(S 275)	165.
H 1287	OMNIBUS COURTS BILL (RATIFIED CH.0742)(S 944)	611, 935, 951, 971, 989, 1195,1200, 1216, 1224, 1237.
S 917	OMNIBUS STUDY BILL-1 (RATIFIED CH.0754)	1233, 1240, 1242, 1243, 1254.
H 1261	OMNIBUS STUDY BILL-2 (RE-REF COM ON APPROP)	608, 1232.
H 558	ONE-ON-ONE PROGRAMS FUNDS (REF TO COM ON APPROP)	219.
H 1264	OSHA TRAINING FUNDS (REF TO COM ON APPROP) .	608.
H 1078	PARENTAL INVOLVEMENT FUNDS (REF TO COM ON APPROP)	397.
H 142	PARK IMPROVEMENT PLAN (REF TO COM ON APPROP)	83.
H 143	PARK LAND ACQUISITION FUNDS (REF TO COM ON APPROP)	83.
H 140	PARK LIFEGUARDS FUNDS (REF TO COM ON APPROP)	83.
H 144	PARKS CLERKS FUNDS (REF TO COM ON APPROP) ...	83.
H 338	PESTICIDE PROGRAM FUNDS (REF TO COM ON APPROP)	175.
H 216	PIEDMONT AGRICULTURAL CTR. FUNDS (REF TO COM ON APPROP)(S 222)	121.
H 1240	PRECINCT CHANGE AMENDMENTS (RE-REF COM ON APPROP)(S 910)	605, 843.
H 108	PRESCRIPTION DRUG ASSISTANCE ACT (REF TO COM ON APPROP)	77.
H 492	PRINCIPALS EXEC. PROGRAM FUNDS (REF TO COM ON APPROP)	210.
H 311	PRISON BOND APPROPRIATIONS (REF TO COM ON APPROP)(S 265)	164.
S 314	PRISON INDUSTRY FUNDS (REF TO COM ON RULES&)	1041.
H 497	PUBLIC HEALTH SALARY FUNDS (REF TO COM ON APPROP)	211.
H 476	PUBLIC HEALTH STUDY-1 (RE-REF COM ON APPROP)(S 367)	208, 252, 650.
H 1250	PUBLIC SCHOOL ACT OF 1991 (RE-REF COM ON APPROP)	606, 709.
H 285	PUBLIC SERVICE MEMORIAL FUNDS (REF TO COM ON APPROP)	157.
H 1206	PUBLIC TRANSPORTATION FUNDS (REF TO COM ON APPROP)	600.

APPROPRIATIONS - PUBLIC—Con'd.

H 1244	PULP/PAPER RESEARCH FUNDS (REF TO COM ON APPROP)	605.
H 1203	RECYCLABLE MARKETS LEAD AGENCY (REF TO COM ON APPROP)	570.
S 144	RECYCLABLES STUDY EXTENDED (RATIFIED CH.0019)	101, 151, 172, 180.
H 26	REHABILITATION FACILITIES FUNDS (RE- REF COM ON APPROP)(S 45)	55, 87.
H 1277	REMEDY CERTAIN WATER WITHDRAWALS (ASSIGNED TO ENV-WAT&)	610, 786, 791.
H 237	RESTORE INVENTORY TAX (REF TO COM ON FINANCE)	132.
H 1252	REVENUE DEP'T AUTOMATION FUNDS-2 (REF TO COM ON APPROP)	606.
H 579	RSVP PROGRAM FUNDS (REF TO COM ON APPROP) ..	227.
H 834	SAFE BOATING COMMITTEE (RE-REF COM ON RULES&)	308, 413, 494, 546, 886.
H 1191	SAMPSON COMM. COLLEGE FUNDS (REF TO COM ON APPROP)	569.
H 938	SCHOOL EQUITY FUNDS (REF TO COM ON EDUCATN)(S 720)	348.
H 114	SCHOOL HEALTH COORDINATOR FUNDS (REF TO COM ON APPROP)	77.
H 871	SCHOOL MAGNETOMETERS FUNDS (REF TO COM ON APPROP)	332.
H 1186	SCHOOL YEAR/ATTENDANCE STUDY (REF TO COM ON RULES&)	568.
H 1243	SEDIMENTATION CONTROL FUNDS (REF TO COM ON APPROP)	605.
H 1218	SHAKESPEARE FESTIVAL FUNDS (REF TO COM ON APPROP)(S 881)	602.
H 293	SICKLE CELL CENTERS FUNDS (REF TO COM ON APPROP)	158.
H 879	SICKLE CELL FUNDS (REF TO COM ON APPROP)	333.
H 831	SMALL SCHOOL SYSTEM FUNDING (REF TO COM ON APPROP)	307.
H 389	SO.APPALACHIAN MAINSTREAM FUNDS (REF TO COM ON APPROP)	193.
H 1170	SPEECH AND HEARING FUNDS (REF TO COM ON APPROP)	530.
H 1145	SPENCER SHOPS FUNDS (REF TO COM ON APPROP) .	479.
S 863	STANDARDS LAB FEES ESTABLISHED (RE- REF COM ON APPROP)	1042, 1120, 1162.
H 1182	STATE AGENCY PROGRAM EVALUATION (REF TO COM ON RULES&)	567.
H 342	STATE BOND ACT OF 1991 (RE-REF COM ON FINANCE)	176, 414.
H 42	STATE FACILITY ASSESSMENT FUNDS (REF TO COM ON APPROP)(S 54)	61.
H 296	STATE MATERNITY HOMES FUNDS (REF TO COM ON APPROP)	162.
H 141	STATE PARKS STUDY COMM'N (REF TO COM ON RULES&)	83.
H 509	STATE PERSONNEL LIABILITY STUDY (REF TO COM ON RULES&)	212.

APPROPRIATIONS - PUBLIC—Con'd.

H 842	STUDY ABC STORE PRIVATIZATION (REF TO COM ON RULES&)	319.
H 1237	STUDY LOCAL FISCAL INFO. ACT (REF TO COM ON RULES&)	604.
H 201	SUMMER SCHOOL PROGRAM FUNDS (REF TO COM ON APPROP)(S 202)	108.
H 1159	SUMMIT HOUSE FUNDS (REF TO COM ON APPROP)	498.
H 1251	TEACHER ASST. SALARY SCHEDULE (REF TO COM ON PUBEMP)	606.
H 677	TEACHER EDUC. CONSORTIUM FUNDS (REF TO COM ON APPROP)	267.
H 152	TECH PREP FUNDS (REF TO COM ON APPROP)(S 117)	84.
H 139	TEMPORARY PARK EMPLOYEE PAY (REF TO COM ON APPROP)	82.
H 335	TIDEWATER RESEARCH FUNDS (REF TO COM ON APPROP)	175.
H 280	TORNADO DISASTER FUNDS (REF TO COM ON APPROP)	157.
H 74	TRANSPORTATION ASSISTANCE FUNDS (REF TO COM ON APPROP)(S 78)	68.
H 1175	TRAVEL/TOURISM ADVERTISING FUNDS (REF TO COM ON APPROP)	548.
H 71	UNC GERONTOLOGY FUNDS (REF TO COM ON APPROP)	67.
H 222	UNC HANDICAPPED BARRIERS FUNDS (RE- REF COM ON APPROP)	122, 273.
H 1230	UNC TUITION COMPUTATION (RE-REF COM ON APPROP)	603, 762.
H 529	UNDERGROUND STORAGE TANK FUNDS (REF TO COM ON APPROP)(S 406)	215.
H 1181	UNINSURED MOTORIST STUDY (REF TO COM ON RULES&)	549.
H 632	UNITED CEREBRAL PALSY FUNDS (REF TO COM ON APPROP)	254.
H 256	VETERANS CEMETERY FUNDS (REF TO COM ON APPROP)(S 256)	141.
H 454	WAGE AND HOUR ACT FUNDS (REF TO COM ON APPROP)	205.
H 128	WATER RESOURCES IN BUDGET (REF TO COM ON APPROP)(S 154)	81.
H 675	WATTS WASTE SITE FUNDS (REF TO COM ON APPROP)	267.
H 1140	WAYNE COMM. COLLEGE FUNDS (REF TO COM ON APPROP)	450.
H 393	WESTERN CAROLINA CENTER FUNDS (REF TO COM ON APPROP)(S 300)	194.
H 629	WILDERNESS CAMPING FUNDS (REF TO COM ON APPROP)(S 345)	254.
H 1036	WILLIE M. LIMIT REMOVED (REF TO COM ON APPROP)	361.
H 181	WORKER TRAINING TRUST FUND (REF TO COM ON APPROP)(S 204)	104.
H 952	WORKERS COMP FOR FARM WORKERS (RE-REF COM ON RULES&)	350, 643, 886.
H 90	YOUTH SUICIDE PREVENTION FUNDS (REF TO COM ON APPROP)(S 19)	72.

ARCHITECTS

- H 935 ARCHITECTS CLAIMS (Senate) 348, 662, 688, 694.
- S 700 CERTIFY INTERIOR DESIGNERS
(REF TO COM ON RULES&) 1138.
- H 1091 LICENSING BOARDS UNDER BUDGET
(RE-REF COM ON FINANCE) 399, 506.

ARCHIVES & HISTORY

- H 524 HISTORY MUSEUM CONTRACTS
(REPTD UNFAV) 214, 1005.
- H 525 HISTORY MUSEUM DUTIES
(POSTPONED INDEFINITELY) 215, 1005.
- S 350 LIBRARY/HISTORY MUSEUM OPERATIONS
(RATIFIED CH.0757) 466, 766, 819, 1006,
1197, 1245, 1248, 1251, 1255.

ARMED FORCES - see MILITIA**ARREST - see CRIMINAL PROCEDURE****ASHE COUNTY**

- H 808 ASHE OCCUPANCY TAX
(RATIFIED CH.0163) 295, 345, 375, 386, 754.

ATOMIC ENERGY

- S 438 DEP'T EHNH CONFIDENTIAL INFO.
(RATIFIED CH.0745) 550, 1116, 1229, 1238.
- H 1124 ENVIRONMENT TECH. CORRECTIONS
(RATIFIED CH.0342)(S 802) 403, 449, 547, 619, 907.
- H 1068 RADIOACTIVE WASTE DISPOSAL
(Senate) 372, 397, 560, 620.
- S 758 TANNING FACILITIES REGULATION
(RATIFIED CH.0735) 654, 717, 859, 1058, 1213, 1237.

ATTORNEYS

- S 155 IMPROVE APA RULE-MAKING PROCESS
(RATIFIED CH.0418)(H 130) . 678, 799, 875, 914, 925, 984.
- H 130 IMPROVE APA RULE-MAKING PROCESS
(REF TO COM ON JUDICII)(S 155) 81.
- H 309 STATE BAR AMENDMENTS
(RATIFIED CH.0210) 164, 391, 434, 443, 472, 776, 784, 790.

AUCTIONEERS

- H 1278 AUCTIONEERS FEES (REF TO COM ON FINANCE) 610.
- H 530 AUCTIONS/AUCTIONEERS ACT (Senate) 215, 391, 433, 442.

AUTOMOBILES - see MOTOR VEHICLES**AVERY COUNTY**

- H 574 FOSCOE INCORPORATED
(RATIFIED CH.0553) 225, 249, 328, 373,
384, 1041, 1066, 1090.
- S 492 AVERY SCHOOL ELECTIONS
(RATIFIED CH.0105) 656, 709, 720, 729.
- S 475 CALDWELL/AVERY BEAR SANCTUARY
(RATIFIED CH.0295) 465, 536, 845, 861, 875.

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BALLOTS - see ELECTIONS**BALMER, DAVID GREGORY**

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

OATH 9.

BANKS

- S 348 AMEND STATE AUDITOR'S DUTIES
(REF TO COM ON STATGOVT) 465.
- H 565 BANK CHANGES (REPTD TO COMMERCE) . 220, 261, 1153.
- H 504 BANK HOLDING COMPANIES
(REPTD TO COMMERCE) 212, 261, 1153.
- H 580 BANK SOUNDNESS INFORMATION
(RE-REF COM ON RULES&) 227, 262, 1073.
- H 503 BANKING AMENDMENTS
(REPTD TO COMMERCE) 212, 261, 1153.
- S 42 BANKING TECHNICAL AMENDMENTS
(RATIFIED CH.0677) 222, 767, 1015, 1155, 1194.
- H 277 CLARIFY BANKS COMM'R AUTHORITY
(Senate) 156, 238, 324, 344.
- S 118 CONFIRM WILLIAM T. GRAHAM-1
(RATIFIED RES.08)(H 162) 100, 151, 172, 196.
- H 162 CONFIRM WILLIAM T. GRAHAM-2
(POSTPONED INDEFINITELY)(S 118) 90, 458.
- H 955 CONSUMER FINANCE ACT CHANGES
(REPTD TO COMMERCE) 351, 396, 1154.
- H 242 CREDIT CARD DEREGULATION
(REPTD UNFAV)(S 174) 136, 238, 583, 625.
- H 696 FINANCIAL INSTITUTIONS STUDY
(REF TO COM ON RULES&) 275.
- S 70 FOREIGN BANK REGULATION
(RATIFIED CH.0679) 700, 767, 1016,
1113, 1155, 1168, 1194.
- S 69 MONEY TRANSMITTERS ACT
(RATIFIED CH.0715) 549, 767, 1016, 1113, 1215, 1235.
- H 55 MORTGAGE BANKER/BROKER PROVISIONS
(RE-REF COM ON FINANCE) 63, 261, 1082.
- H 1022 NC COMMUNITY REINVESTMENT ACT
(ASSIGNED TO COM-FINA) 359, 514.
- H 22 REGULATE REVERSE MORTGAGES
(RATIFIED CH.0546) 54, 189, 511, 585,
885, 926, 932, 947, 1090.

BARBEE, BOBBY HAROLD, SR.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

EXCUSED ABSENCES 69, 186, 365, 629, 648, 734, 742, 869.

OATH 9.

BARNES, ANNE C.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFeree: H 83, H 494, H 601, H 605, H 929, S 16, S 828

EXCUSED ABSENCES 344.

OATH 9.

BARNHILL, HOWARD C.

BILLS INTRODUCED - SEE APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFeree: H 494 972.

ESCORT FOR GOVERNOR 41.

EXCUSED ABSENCES 1193, 1210, 1234.

OATH 9.

BASTARDY

H 511 PATERNITY SUIT PROOF BURDEN

(REF TO COM ON JUDICIUM)(S 382) 213.

BEALL, CHARLES M.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFeree: H 1073

EXCUSED ABSENCES 186, 344, 543, 821, 934, 1234.

EXCUSED FROM VOTING: H 1009 697.

OATH 9.

BEARD, R. DONALD

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFeree: S 227

EXCUSED ABSENCES 60, 64, 65, 124, 139, 155,

161, 198, 243, 378, 390, 436, 509, 702, 734, 1084.

OATH 9.

BEAUFORT COUNTY

H 592 WASHINGTON OCCUPANCY TAX

(RATIFIED CH.0158) 238, 315, 410, 430, 441, 754.

BINGO - see CRIMINAL LAW**BLACK, JAMES B.**

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFeree: H 494

EXCUSED ABSENCES 222.

OATH 9.

PRESENTS PROCLAMATION RECOGNIZING

NORTH CAROLINA COMMUNITY COLLEGES SYSTEM 651.

BLADEN COUNTY

H 795 SAMPSON/BLADEN ELECTROFISHING

(RATIFIED CH.0140) 294, 565, 632, 738.

S 530 REPEAL FOX HUNTING SUNSET

(RATIFIED CH.0483) 531, 545, 935, 999, 1046.

BLUE, DANIEL T., JR.

ACCEPTANCE SPEECH AS SPEAKER 22.

ADMINISTERS OATH TO PRINCIPAL CLERK 38.

BILLS INTRODUCED - see APPENDIX

ELECTED SPEAKER 22.

NOMINATED SPEAKER 16.

OATH AS MEMBER 9.

OATH AS SPEAKER 22.

RULINGS OF CHAIR 309, 326, 327, 894, 1172.

SUSPENSION OF RULES 772, 940, 1098.

VOTES 1119.

BOWEN, EDWARD C.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFEREES: H 796, S16

EXCUSED ABSENCES 89, 155, 304, 691, 981, 1001, 1020.

OATH 9.

SECONDS NOMINATION OF

REP. DANIEL BLUE, JR. AS SPEAKER 21.

BOWIE, JOANNE W.

BILLS INTRODUCED - SEE APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

EXCUSED ABSENCES 409, 702, 715.

OATH 9.

BOWMAN, J. FRED

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFEREE: H 190

OATH 9.

BRAWLEY, ROBERT C.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFEREE: H 8, H 126, H 587, S 108

ESCORT FOR GOVERNOR 41, 44.

EXCUSED ABSENCES 423, 492, 775.

OATH 9.

BROWN, JOHN W.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

EXCUSED ABSENCES 423, 823, 824.

OATH 9.

OFFERS PRAYER 741.

BRUBAKER, HAROLD J.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFEREE: H 54

EXCUSED ABSENCES 67, 89, 103, 107, 117, 135,

155, 186, 243, 271, 284, 344, 423, 599, 702, 709,

715, 734, 775, 821, 934, 981, 1001, 1084, 1193.

OATH 9.

BRUNSWICK COUNTY

H 608 BALD HEAD/STALLINGS POST OFFICE

(RATIFIED CH.0350) 244, 304, 324, 888, 908, 923.

H 585 BRUNSWICK ABC STORE LOCATION

(RATIFIED CH.0372) 228, 237, 495, 544, 613, 904, 923, 944.

H 779 BRUNSWICK BLANK-1 (REF TO COM ON RULES&) ... 292.

H 780 BRUNSWICK BLANK-2 (REF TO COM ON RULES&) ... 292.

H 778 BRUNSWICK BLANK-3 (REF TO COM ON RULES&) ... 291.

H 781 BRUNSWICK BLANK-4 (REF TO COM ON RULES&) ... 292.

H 586 BRUNSWICK BOARD TERMS

(RATIFIED CH.0373) 228, 623, 659, 887, 919, 938, 944.

H 740 BRUNSWICK CC SECURITY INTERESTS

(RATIFIED CH.0616)(S 594) 286, 317, 545,

596, 1085, 1106, 1115.

BRUNSWICK COUNTY—Con'd.

- H 819 BRUNSWICK COUNTY AIRPORT COMM'N.
(RATIFIED CH.0385) 296, 525, 554, 945.
- H 630 BRUNSWICK REDISTRICTING (Senate) 254, 843, 873.
- H 1178 CASWELL/BALD HEAD OCCUPANCY TAX
(RATIFIED CH.0664) 549, 776, 790, 804, 1175.
- H 623 COLUMBUS/BRUNSWICK SOLID WASTE
(RATIFIED CH.0334) 253, 305, 326, 834,
855, 873, 889, 906.
- H 739 HOLDEN BEACH ANNEXATION VOTE
(RATIFIED CH.0638) 286, 649, 675, 1147.
- H 587 LOCAL JET SKI REGULATIONS
(RATIFIED CH.0494) 228, 249, 281, 300,
872, 919, 952, 1036, 1037, 1047.
- H 278 LONG BEACH ASSESSMENTS
(RATIFIED CH.0464) 156, 181, 259, 299, 311, 1024.
- H 668 SOUTHPORT TAX COLLECTOR
(RATIFIED CH.0303) 266, 379, 406, 876.
- S 530 REPEAL FOX HUNTING SUNSET
(RATIFIED CH.0483) 531, 545, 935, 999, 1046.

BUCHANAN, CHARLES F.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFERE: S 16.

EXCUSED ABSENCES 243, 249, 423, 775, 934, 1210, 1234.

OATH 9.

BUDGET - see APPROPRIATIONS (LOCAL & PUBLIC)**BUNCOMBE COUNTY**

- H 735 BUNCOMBE PREDEVELOPMENT
(RATIFIED CH.0250) 286, 544, 575, 826.
- H 638 MONTREAT EXTRATERRITORIAL
(RATIFIED CH.0248) 262, 446, 473, 541, 826.

BURKE COUNTY

- H 680 BURKE JAIL EXEMPTION
(RATIFIED CH.0137) 273, 379, 406, 419, 738.
- H 624 BURKE/FORSYTH/MCDOWELL DEVELOPMENT
(RATIFIED CH.0496)(S 490) 253, 379, 405,
1003, 1026, 1047.
- H 63 BURKE/RANDOLPH/SAMPSON PRIVATE ROADS
(RATIFIED CH.0009)(S 63) 66, 97, 106, 110, 113, 144.
- H 681 VALDESE ANNEX CAROLINA MILLS
(RATIFIED CH.0396) 273, 391, 448, 469, 482, 954.
- S 63 BURKE NAME PRIVATE ROADS
(REF TO COM ON LOC&RGI)(H 63) 95.

BURROW, SAM J., JR.

ELECTED READING CLERK, ADMINISTERED OATH 39.

BUSES - see MOTOR VEHICLES; also see EDUCATION**BUSINESS DEVELOPMENT CORPORATION**

- H 1241 REPEAL BUSINESS INVESTMENT CREDIT
(POSTPONED INDEFINITELY) 605, 983.

-C-

CABARRUS COUNTY

- H 1160 BEAR LICENSE REPEAL/RESTRICT FISHING
(RATIFIED CH.0671) 513, 536, 651, 703, 869,
963, 1014, 1033, 1193.
- H 733 CABARRUS LOCAL DEVELOPMENT
(Senate)(S 566) 280, 565, 632.
- H 684 ECONOMIC DEVELOPMENT CONSIDERATION
(RATIFIED CH.0659) 274, 493, 534, 1077,
1112, 1123, 1142, 1175.
- S 503 CABARRUS RECALL ELECTIONS
(RE-REF COM ON JUDICI) 689, 787, 805.
- S 638 LOCAL ECONOMIC DEVELOPMENT
(REF TO COM ON RULES&) 679.
- S 565 POPLAR TENT BEAUTIFICATION DIST.
(RATIFIED CH.0685) .. 1005, 1086, 1134, 1151, 1167, 1234.

CALDWELL COUNTY

- S 475 CALDWELL/AVERY BEAR SANCTUARY
(RATIFIED CH.0295) 465, 536, 845, 861, 875.

CAMDEN COUNTY

- H 584 ALBEMARLE JAIL TRANSPORTATION
(RATIFIED CH.0371) 228, 493, 533, 887, 916, 923, 944.
- H 652 REGISTER VACANCY MODIFICATION
(RATIFIED CH.0376) 264, 493, 534, 835, 916, 924, 944.

CAMPAIGNS - see ELECTIONS**CANDIDATES - see ELECTIONS****CAPITAL IMPROVEMENTS -**

see APPROPRIATIONS (LOCAL & PUBLIC)

CARE FACILITIES

- S 257 REST HOME APPEALS PROCESS
(RATIFIED CH.0572) 617, 718, 792, 952, 1083, 1103.
- S 164 REST HOME COST REPORTS
(RATIFIED CH.0089) 129, 149, 230, 628, 666, 707, 711.
- S 158 REST HOME REIMBURSEMENT STUDY
(RATIFIED CH.0032) 129, 149, 229, 243, 246.
- S 161 REST HOME REVIEW TIME LIMIT
(RATIFIED CH.0066) 129, 149, 229, 432, 444, 455, 464.

CARS - see MOTOR VEHICLES**CARTERET COUNTY**

- H 755 ATLANTIC BEACH ANNEXATION
(REF TO COM ON LOC&RGII) 289.
- H 587 LOCAL JET SKI REGULATIONS
(RATIFIED CH.0494) 228, 249, 281, 300,
872, 919, 952, 1036, 1037, 1047.

CASWELL COUNTY

- S 433 CASWELL SOLID WASTE OPTIONS
(RATIFIED CH.0724) .. 1081, 1135, 1136, 1144, 1201, 1236.
S 575 CASWELL TRESPASSING TO HUNT
(RATIFIED CH.0092) 531, 682, 707, 711.
S 530 REPEAL FOX HUNTING SUNSET
(RATIFIED CH.0483) 531, 545, 935, 999, 1046.

CATAWBA COUNTY

- H 806 CATAWBA WEAPON FEE
(RATIFIED CH.0231) 295, 393, 418, 429, 801.
H 807 CONOVER FIREMEN'S FUND
(RATIFIED CH.0260) 295, 393, 561, 576, 836.
S 46 CATAWBA PROPERTY DISPOSITION
(RATIFIED CH.0007) 95, 121, 130, 144.

CEMETERIES

- S 177 ABANDONED PUBLIC CEMETERIES
(RATIFIED CH.0036) 147, 187, 222, 234, 256, 298.
H 301 CEMETERY ACT AMENDMENTS
(RATIFIED CH.0653) 163, 305, 735, 759, 773, 1174.

CERTIFICATE OF NEED

- S 816 CERTIFICATE OF NEED TECH. AMENDS
(RATIFIED CH.0692) 658, 959, 1110, 1179, 1186, 1192, 1210.
H 1255 DHR LICENSE FEE/DOC DRUG FEES
(Senate) 607, 1134, 1156, 1169.
H 408 FACILITIES PLAN LIMIT CERT. NEED
(RATIFIED CH.0701) 195, 432, 547, 598, 668,
1205, 1220, 1230, 1231, 1239, 1244.
S 333 INSURANCE TECHNICAL AMENDMENTS
(RATIFIED CH.0720) 549, 768, 1163, 1218, 1235.

CHAPIN, HOWARD B.

- BILLS INTRODUCED - see APPENDIX
COMMITTEE ASSIGNMENTS - see APPENDIX
DELEGATION MEMBER TO ATTEND
SENATOR EZZELL'S FUNERAL 43.
EXCUSED ABSENCES 117, 344, 1001.
INTRODUCES U.S.A ALL AMERICAN ACADEMIC STUDENTS .. 262.
OATH 9.

CHAPLAIN

- REVEREND JAMES W. MCGINNIS
APPOINTED BY SPEAKER 40.
PRAYERS OFFERED - see APPENDIX.

CHARITY FACILITIES

- H 267 BUSINESS OPPORTUNITY REDEFINED
(RATIFIED CH.0074)(S 558) 143, 159, 236,
248, 257, 499, 514, 532.

CHATHAM COUNTY

- S 623 ORANGE/CHATHAM OMNIBUS
(RATIFIED CH.0246) 699, 742, 759, 784, 791, 826.

CHILD WELFARE

H 956	BAN DAY CARE CORPORAL PUNISHMENT (RATIFIED CH.0640)	351, 432, 494, 543, 557, 1147.
H 416	CHILD DAY CARE LAW CHANGES (RATIFIED CH.0273)	200, 251, 593, 670, 821, 825, 837, 848.
S 380	CHILD SUPPORT PAYOR CHANGE (RATIFIED CH.0541)	499, 949, 1075, 1089.
H 542	CHILD SUPPORT REFORM (Senate)(S 464)	217, 252, 932, 997, 1188, 1200.
H 319	DAY CARE HEALTH ASSESSMENT (Senate)	166, 180, 463, 518.
H 466	DAY CARE PROVIDER RECORDS (REF TO COM ON JUDICIII)	207.
H 1062	DAY CARE RATIO CHANGE PHASE-IN (RE- REF COM ON RULES&)	371, 433, 630, 674, 1058.
S 237	IV-D MEDICAL INSURANCE INFO (RATIFIED CH.0419)	404, 768, 903, 974, 984.
S 182	PARENTAL CONTROL ACT ENFORCEMENT (REF TO COM ON RULES&)	1077.
H 500	REPORT CHILD SUPPORT OBLIGOR (REF TO COM ON JUDICII)	211.
H 1127	SOCIAL SERVICES PATERNITY ID (REPTD UNFAV)	404, 513, 630, 936.

CHOWAN COUNTY

H 652	REGISTER VACANCY MODIFICATION (RATIFIED CH.0376)	264, 493, 534, 835, 916, 924, 944.
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CHURCH, JOHN T.

BILLS INTRODUCED - see APPENDIX	
COMMITTEE ASSIGNMENTS - see APPENDIX	
CONFEREE: S 802	
DELEGATION MEMBER TO ATTEND	
SENATOR EZZELL'S FUNERAL	43.
EXCUSED ABSENCES	715.
EXCUSED FROM VOTING: H 83, Amendment No. 19	822.
OATH	9.

CITIES & TOWNS

H 126	AIRPORT AUTHORITY SECURITY INTERESTS (RATIFIED CH.0741)(S 48)	81, 117, 126, 138, 161, 186, 1191, 1199, 1221, 1225, 1228, 1237.
H 1009	AMORTIZATION MORATORIUM/SIGN FEE INCREASE (RE-REF COM ON RULES&)	358, 667, 695, 697, 712, 721, 918.
H 370	ANNEXATION DOCUMENTS FILED (RATIFIED CH.0586)	191, 366, 407, 1081, 1094, 1104.
H 159	ANNEXATION/SERVICES PROVIDED (RATIFIED CH.0025)	90, 140, 154, 199.
H 898	CABLE TELEVISION LATE FEES (REF TO COM ON JUDICIII)	335.
H 1017	CITY ISSUE SUBPOENA/STOP ORDER (RATIFIED CH.0512)	359, 591, 646, 1004, 1029, 1049.
H 758	CITY REQUIRE GARBAGE COLLECTION (POSTPONED INDEFINITELY)	289, 316, 478, 522.

CITIES & TOWNS—Con'd .

H 985	CITY REQUIRE GARBAGE SERVICE-2 (RATIFIED CH.0698)	354, 661, 686, 856, 900, 912, 1204, 1210.
S 665	CITY/COUNTY CLOSE PRIVATE STREET (RE- REF COM ON JUDICI)	657, 1122, 1215.
H 901	CLARIFY DEFERRED COMPENSATION (RATIFIED CH.0277)	335, 619, 664, 848.
H 211	DEMOLITION ORDERS (RATIFIED CH.0208)	113, 189, 319, 344, 421, 434, 790.
S 452	DEVELOPMENT FINANCING BONDS (REF TO COM ON RULES&)	1113.
H 715	FIRE HYDRANTS EVERY 1,000 FEET (RE- REF COM ON APPROP)	278, 623.
H 1060	HISTORIC BUILDINGS TIME DELAY (RATIFIED CH.0514)	371, 506, 541, 1004, 1029, 1049.
H 290	HOUSING CODE NOTICE (RATIFIED CH.0526)	158, 236, 248, 1069.
S 570	HOUSING VIOLATION CLOSINGS (POSTPONED INDEFINITELY) (H 912)	656, 768, 1067, 1102.
H 912	HOUSING VIOLATION CLOSINGS (RATIFIED CH.0315)(S 570) .	337, 396, 595, 625, 664, 889.
H 1281	INCREASE DAM SAFETY (REF TO COM ON APPROP) .	610.
H 1013	LOCAL WORKER POLITICAL ACTIVITY (RATIFIED CH.0619)(S 767)	358, 460, 504, 1093, 1108, 1116.
H 165	LOW-INCOME HOUSING PRESERVATION (RATIFIED CH.0581)	91, 98, 197, 260, 302, 1076, 1088, 1104.
H 1295	LRC STUDY ANNEXATION LAW (REF TO COM ON RULES&)	704.
H 963	REALIGN RESIDENCY DISTRICTS (Senate)	352, 843, 863, 884.
H 86	SOLID WASTE FEES (RATIFIED CH.0652)	72, 94, 283, 581, 844, 874, 896, 910, 1126, 1148, 1174.
H 501	STORMWATER UTILITIES (RATIFIED CH.0591)(S 453)	211, 662, 853, 861, 873, 1076, 1089, 1105.
H 929	TECHNICAL CORRECTIONS (RATIFIED CH.0761)	347, 527, 588, 1234, 1242, 1246, 1253, 1254, 1255.
H 80	TRANSIT AUTHORITY TAX (RATIFIED CH.0666)(S 99)	71, 460, 526, 556, 576, 1113, 1127, 1148, 1165, 1193.
H 516	UNIFORM TRAFFIC CONTROL DEVICES (RATIFIED CH.0530)	213, 580, 621, 668, 1003, 1028, 1043, 1070.

CITIZENSHIP

H 421	RESTORATION NON-NC FELONS RIGHTS (RATIFIED CH.0274)	201, 380, 408, 848.
-------	--	---------------------

CIVIL PROCEDURE

- S 764 ACTIONS AGAINST SURVEYORS
(RATIFIED CH.0268) 654, 781, 808, 817, 848.
- H 935 ARCHITECTS CLAIMS (Senate) 348, 662, 688, 694.
- H 1088 CIVIL PROCEDURE BLANK
(REF TO COM ON RULES&) 398.
- H 984 COMPARATIVE FAULT
(FAILED 2ND READING) 354, 600, 636, 676.
- S 696 EASE SATISFACTION OF JUDGMENT
(RATIFIED CH.0426) 700, 886, 973, 984.
- S 291 ELECTRONIC JUDGMENT DOCKET
(RATIFIED CH.0167) 405, 744, 762, 770.
- H 991 INTERNATIONAL COMM. ARBITRATION
(RATIFIED CH.0292)(S 695) 355, 598, 625,
665, 835, 850, 860.
- H 1082 LIMIT LANDOWNER LIABILITY (Senate) 398, 661, 688, 693.
- H 1026 NO OUT-OF-STATE ARBITRATION (Senate) . 360, 459, 491.
- S 131 PRESERVE RAILROAD EASEMENTS
(RE-REF COM ON TRANSPOR) 129, 728, 751,
779, 950, 1075, 1214.
- H 929 TECHNICAL CORRECTIONS
(RATIFIED CH.0761) 347, 527, 588, 1234,
1242, 1246, 1253, 1254, 1255.
- H 944 TIME TO APPEAL/PAUPERS
(RATIFIED CH.0563) 349, 487, 520, 1091.
- S 423 WRONGFUL DEATH ACTION LIMIT
(REF TO COM ON RULES&) 678.

CIVIL RIGHTS

- H 563 ACTION UNDER CIVIL RIGHTS ACT
(RATIFIED CH.0433) 220, 646, 672, 887, 949, 968, 985.

CLAY COUNTY

- H 661 CLAY SCHOOL ELECTIONS
(REF TO COM ON LOC&RGI) 265.
- S 491 CLAY SCHOOL ELECTIONS
(RATIFIED CH.0254) 656, 742, 756, 791, 835.
- S 530 REPEAL FOX HUNTING SUNSET
(RATIFIED CH.0483) 531, 545, 935, 999, 1046.

CLEAN WATER ACT

- S 344 CLEAN WATER LOAN TRANSFER
(RATIFIED CH.0186) 361, 449, 751, 778, 782.

CLEVELAND COUNTY

- H 985 CITY REQUIRE GARBAGE SERVICE-2
(RATIFIED CH.0698) 354, 661, 686,
856, 900, 912, 1204, 1210.
- H 617 CLEVELAND SCHOOL PAY DAY
(RATIFIED CH.0311) 245, 305, 339, 888.
- S 493 KINGS MOUNTAIN SCHOOL PAYDAY
(RATIFIED CH.0106) 405, 710, 720, 729.
- S 530 REPEAL FOX HUNTING SUNSET
(RATIFIED CH.0483) 531, 545, 935, 999, 1046.

CO-OP ORGANIZATION

- H 54 CREDIT UNION TECHNICAL AMENDMENTS
(RATIFIED CH.0651) 63, 189, 323, 492, 518, 526, 578,
613, 1001, 1026, 1039, 1136, 1139, 1174.
- H 52 FOREIGN CREDIT UNION ACT
(RATIFIED CH.0271) 62, 189, 323, 344, 848.

COLLINS, GRACE A.

- ELECTED PRINCIPAL CLERK, ADMINISTERED OATH 38.
- PRESIDING 9.

COLTON, MARIE W.

- ACCEPTANCE SPEECH AS SPEAKER PRO TEMPORE 37.
- BILLS INTRODUCED - see APPENDIX
- COMMITTEE ASSIGNMENTS - see APPENDIX
- CONFeree: H 64, H 83, H 89, S 649
- COURTESIES TO FAMILY 40.
- ELECTED SPEAKER PRO TEMPORE 36.
- EXCUSED ABSENCES 67, 78, 249, 271, 365, 378, 445.
- INTRODUCES PREMIER DANIEL 126.
- NOMINATED SPEAKER PRO TEMPORE 34.
- OATH AS MEMBER 9.
- OATH AS SPEAKER PRO TEMPORE 36.
- POINT OF PERSONAL PRIVILEGE 1050.
- PRESIDING 54, 121, 189, 198, 330, 431, 564, 645, 685, 714,
747, 749, 775, 824, 862, 939, 957, 1056, 1073, 1149.

COLUMBUS COUNTY

- H 648 COLUMBUS SOLID WASTE FEES
(REPTD TO FINANCE) 263, 381, 582.
- H 623 COLUMBUS/BRUNSWICK SOLID WASTE
(RATIFIED CH.0334) 253, 305, 326, 834,
855, 873, 889, 906.
- H 16 WHITEVILLE SCHOOL BOARD (RATIFIED CH.0001) 47, 53.
- S 530 REPEAL FOX HUNTING SUNSET
(RATIFIED CH.0483) 531, 545, 935, 999, 1046.
- S 629 UNION, COLUMBUS JAIL EXEMPTION
(RATIFIED CH.0393) 337, 710, 720, 732,
787, 815, 855, 895, 954.

COMMERCE & BUSINESS

- H 267 BUSINESS OPPORTUNITY REDEFINED
(RATIFIED CH.0074)(S 558) 143, 159, 236,
248, 257, 499, 514, 532.
- S 31 CAMPGROUND MEMBERSHIPS
(REF TO COM ON JUDICI) 78.
- H 33 CREDIT REPAIR ACT
(RATIFIED CH.0327) 56, 88, 237, 367,
458, 507, 872, 890, 906.
- H 939 EXEMPT DISPUTE SETTLEMENT
(RATIFIED CH.0387) 348, 459, 491, 905, 924, 945.
- H 323 EXPAND PRISON LAUNDRIES
(REF TO COM ON APPROP) 166.
- H 55 MORTGAGE BANKER/BROKER PROVISIONS
(RE- REF COM ON FINANCE) 63, 261, 1082.
- H 1111 RECORD OF CONSIGNED GOODS
(RATIFIED CH.0536) . 401, 418, 525, 594, 1023, 1045, 1070.

COMMERCE & BUSINESS—Con'd.

- S 476 REGULATE HOME WATER HEATERS
(RATIFIED CH.0190) 531, 717, 758, 780, 782.
- S 779 RENTAL HOUSING LISTING SERVICE
(RATIFIED CH.0737) 678, 980, 1031, 1067, 1213, 1237.
- S 662 REPEAL INVENTION SERVICES SUNSET
(RATIFIED CH.0235) 657, 726, 740, 748, 795, 807, 811.
- H 662 UNCLAIMED PROPERTY CHANGES
(RATIFIED CH.0531) 266, 285, 413, 435,
835, 847, 999, 1060, 1070.
- H 1028 UTILITIES ELECTRICAL CONTRACTING
(ASSIGNED TO ECO-SMBU)(S 729) 360, 381.

COMMITTEE ASSIGNMENTS 51, 56, 63, 88, 119, 120, 131.

COMMUNITY COLLEGES

- S 117 ALTERNATIVE TRANSPORTATION PILOT
(REF TO COM ON RULES&)(H 152) 676.
- S 280 APPLIED TEXTILE TECH. CENTER
(RATIFIED CH.0184)(H 302) 655, 734, 748, 782.
- H 302 APPLIED TEXTILE TECH. CENTER
(Senate)(S 280) 163, 273, 303.
- H 743 COMMUNITY COLLEGE BOARD ELECTION
(RATIFIED RES.12)(S 593) ... 287, 394, 422, 644, 652, 674.
- S 593 COMMUNITY COLLEGE BOARD ELECTION
(POSTPONED INDEFINITELY)(H 743) 464, 630, 669.
- S 829 COMMUNITY COLLEGE BOARD ELECTIONS
(RATIFIED CH.0083) 428, 559, 599, 632.
- H 569 COMMUNITY COLLEGE PERSONNEL
(RATIFIED CH.0084)(S 262) . 221, 285, 396, 422, 454, 632.
- H 1063 COMMUNITY COLLEGE REFUGEE TUITION
(RE-REF COM ON APPROP) 371, 439, 622.
- S 594 COMMUNITY COLLEGE TRUSTEE ELIGIBILITY
(RATIFIED CH.0283)(H 740) 654, 834, 851, 859.
- H 1092 COMMUNITY COLLEGE TRUSTEES
(ASSIGNED TO ED-COMMC) 399, 439.
- H 1115 CREATE DIV'N OF ADULT SERVICES
(REF TO COM ON APPROP) 402.
- H 148 DROP-OUT PREVENTION
(RATIFIED CH.0307)(S 124) .. 84, 285, 396, 434, 443, 888.
- S 124 DROP-OUT PREVENTION
(REF TO COM ON EDUCATN)(H 148) 653.
- H 151 HIGHER EDUCATION ENCOURAGEMENT
(RE- REF COM ON APPROP)(S 125) 84, 285, 425, 455.
- H 314 NURSING SHORTAGE REMEDIES
(RATIFIED CH.0550)(S 278) 165, 338, 377,
421, 443, 1040, 1068, 1090.
- H 420 OMNIBUS TECHNICAL AMENDMENTS
(RATIFIED CH.0636) 201, 594, 664,
1002, 1122, 1127, 1147.
- S 126 REMEDIATION
(RATIFIED CH.0279)(H 149) 653, 834, 851, 859.
- H 152 TECH PREP FUNDS (REF TO COM ON APPROP)(S 117) . 84.
- H 929 TECHNICAL CORRECTIONS
(RATIFIED CH.0761) 347, 527, 588, 1234,
1242, 1246, 1253, 1254, 1255.

COMPANY POLICE

H 561	COMPANY POLICE ACT (RE-REF COM ON FINANCE)	220, 735.
-------	---	-----------

CONDOMINIUMS

H 946	HOMEOWNER/CONDO ASS'N LIENS (REF TO COM ON JUDICIII)	349.
-------	---	------

CONFERENCE REPORTS

H 8	.....	759.
H 54	.....	1139.
H 64	.....	1163.
H 83	..... 1160, 1172,	1195.
H 89	.....	1223.
H 126	.....	1225.
H 281	.....	1159.
H 408	.....	1231.
H 494	.....	1187.
H 587	.....	1036.
H 601	.....	1230.
H 605	.....	977.
H 659	.....	961.
H 662	.....	999.
H 734	.....	1248.
H 757	.....	1130.
H 796	.....	1065.
H 904	.....	1145.
H 929	.....	1253.
H 996	.....	931.
H 1073	.....	1096.
H 1107	.....	1131.
H 1287	.....	1216.
S 16	.....	1101.
S 39	.....	1227.
S 108	..... 1190, 1226,	1238.
S 227	.....	1008.
S 350	.....	1248.
S 649	.....	1241.
S 688	.....	1132.
S 778	.....	1148.
S 802	.....	1083.
S 816	.....	1186.
S 828	.....	1182.
S 930	.....	1249.

CONSERVATION & DEVELOPMENT

H 1160	BEAR LICENSE REPEAL/RESTRICT FISHING (RATIFIED CH.0671)	513, 536, 651, 703, 869, 963, 1014, 1033, 1193.
H 392	EXTEND BLAZE ORANGE REQUIREMENT (RATIFIED CH.0071)	193, 232, 260, 302, 514.
S 363	FISHERIES INSPECTION AUTHORITY (REPTD TO AGRICULT)	499, 536, 709.
H 118	FISHERIES TECHNICAL CORRECTIONS (RATIFIED CH.0086)	79, 112, 260, 282, 658.
H 1055	GAS STATION FACILITIES REQUIRED (REPTD TO AGRICULT)	370, 424, 651.

CONSERVATION & DEVELOPMENT—Con'd.

S 678	HUNTER CRIMINAL NEGLIGENCE (RATIFIED CH.0748)	699, 705, 1143, 1229, 1240, 1245.
H 1067	HUNTER CRIMINAL NEGLIGENCE (REF TO COM ON JUDICII)	371.
H 374	HUNTER SAFETY STATEMENT (RATIFIED CH.0070)	191, 232, 260, 282, 514.
H 117	INCREASE FISHERIES FINES (RATIFIED CH.0176)	79, 117, 125, 742, 755, 771.
S 809	MARINE FISHERIES LICENSE AMENDS (RATIFIED CH.0545)	811, 935, 1016, 1055, 1072, 1090.
H 420	OMNIBUS TECHNICAL AMENDMENTS (RATIFIED CH.0636)	201, 594, 664, 1002, 1122, 1127, 1147.
H 142	PARK IMPROVEMENT PLAN (REF TO COM ON APPROP)	83.
H 832	PROHIBIT IMPAIRED HUNTING (Senate)	307, 626, 665, 680.
S 635	REMOVE PENALTY/UNPLUGGED SHOTGUN (RATIFIED CH.0366)	532, 545, 845, 928, 944.
H 1032	SHELLFISH LEASE AUTHORITY STUDY (RE- REF COM ON RULES&)	360, 449, 679.
H 141	STATE PARKS STUDY COMM'N (REF TO COM ON RULES&)	83.
S 460	STRIPED BASS PROCLAMATIONS (RATIFIED CH.0104)	405, 424, 709, 724, 729.
H 1105	STUDY LICENSE TO SELL FISH (RE-REF COM ON RULES&)	401, 424, 649.
S 670	WILDLIFE OFFICERS JURISDICTION (RATIFIED CH.0730)	657, 956, 1083, 1096, 1119, 1143, 1211, 1236.

CONSTITUTION

S 71	APPOINTED JUDGES/CONSTITUTION-1 (REF TO COM ON COURTS&)	167.
H 102	APPOINTED JUDGES/CONSTITUTION-2 (REF TO COM ON COURTS&)	76.
S 440	ECONOMIC DEVELOPMENT BONDS (REF TO COM ON RULES&)	1100.
S 250	EDUCATION GOVERNANCE CHANGES (REF TO COM ON RULES&)	1077.
H 87	ELECT GOVERNOR EVEN-NUMBER YEAR-1 (RE- REF COM ON APPROP)	72, 345, 377, 472.
S 232	ELECT GOVERNOR EVEN-NUMBER YEAR-2 (RE- REF COM ON RULES&)	694, 996, 1036, 1054, 1096, 1118.
H 3	GUBERNATORIAL VETO-1 (REF TO COM ON COURTS&)(S 156)	42.
S 244	GUBERNATORIAL VETO-3 (MIN REPORT FAILED)	617, 1078, 1079.
H 62	LEGISLATORS FOUR-YEAR TERM (REPTD UNFAV)	65, 526.
H 287	LIMIT SESSION LENGTH-2 (REPTD UNFAV)	157, 526.
H 45	REPEAL GUBERNATORIAL SUCCESSION (REF TO COM ON COURTS&)	61.
H 44	SPEAKER TERMS LIMIT (REF TO COM ON COURTS&) .	61.
H 77	SUP'T CHAIR STATE EDUC.BOARD-2 (RE- REF COM ON APPROP)	70, 592, 635, 661, 701.

CONSTITUTION—Con'd.

- H 67 VETO, GUBERNATORIAL SUCCESSION
(REF TO COM ON COURTS&) 66.
- H 1033 VICTIMS' RIGHTS STUDY
(RE-REF COM ON RULES&) 360, 639.

CONTRACTORS

- H 36 CONSTRUCTION AUDIT FOLLOW-UP
(Senate) 60, 249, 285, 486, 520.
- H 41 CONTRACTOR LICENSE LIMITS
(REF TO COM ON STATGOVT) 61.
- H 38 CONTRACTORS REVIEW COMMITTEE
(RATIFIED CH.0124) 61, 487, 523, 737.
- H 37 HOMEOWNERS RECOVERY FUND
(RATIFIED CH.0547) 60, 249, 285, 486, 586,
635, 660, 1041, 1068, 1090.
- S 719 IMPROVE CONTRACTOR REGULATIONS
(REF TO COM ON RULES&) 677.
- H 1091 LICENSING BOARDS UNDER BUDGET
(RE-REF COM ON FINANCE) 399, 506.
- H 18 LOCAL HEALTH BOARD RULES
(RATIFIED CH.0650) 48, 86, 109, 236, 510,
563, 1138, 1154, 1174.
- S 123 PLUMBING/HTG LICENSE NUMBER
(RATIFIED CH.0355) 776, 792, 887, 915, 926, 943.
- H 925 PLUMBING/HTG. EXAM GRACE PERIOD
(RATIFIED CH.0507) . 347, 380, 524, 593, 1004, 1028, 1048.
- H 929 TECHNICAL CORRECTIONS
(RATIFIED CH.0761) 347, 527, 588, 1234,
1242, 1246, 1253, 1254, 1255.
- H 1028 UTILITIES ELECTRICAL CONTRACTING
(ASSIGNED TO ECO-SMBU)(S 729) 360, 381.
- S 459 WELL CONSTRUCTION PENALTIES
(ASSIGNED TO ENV-WAT&) 322, 330.

CONVEYANCES

- H 1281 INCREASE DAM SAFETY (REF TO COM ON APPROP) . 610.
- H 920 PLAT REGISTRATION (REF TO COM ON JUDICIII) ... 346.

COOPER, ROY A.

- BILLS INTRODUCED - see APPENDIX
- DELEGATION MEMBER TO ATTEND
SENATOR EZZELL'S FUNERAL 43.
- NOMINATES LARRY P. EAGLES FOR SERGEANT-AT-ARMS 39.
- OATH 9.
- RESIGNATION 75.

CORPORAL PUNISHMENT - see PUBLIC EDUCATION**CORPORATIONS**

- S 398 AMEND BUSINESS CORPORATION ACT
(RATIFIED CH.0645) 499, 956, 1110, 1173.
- S 778 CORPORATE INSTRUMENT EXECUTION
(RATIFIED CH.0647) 631, 933, 1058, 1080,
1087, 1138, 1144, 1148, 1173.
- S 397 RAISE CORPORATE COPYING FEE
(RATIFIED CH.0574) 466, 1016, 1056, 1070, 1103.

CORRECTIONS - see STATE PRISONS**COSMETIC ART**

- H 316 COSMETIC ARTS FEES (REPTD TO FINANCE) 165, 306, 328.
 S 240 COSMETOLOGY REQUIREMENTS
 (REPTD TO STATGOVT) 530, 766, 819.
 H 317 ESTHETICIAN/MANICURIST REGULATED
 (REF TO COM ON STATGOVT) 165.
 H 420 OMNIBUS TECHNICAL AMENDMENTS
 (RATIFIED CH.0636) 201, 594, 664, 1002, 1122, 1127, 1147.

COSTS

- H 935 ARCHITECTS CLAIMS (Senate) 348, 662, 688, 694.
 H 35 ATTORNEY FEES, NEW HOMES
 (REF TO COM ON JUDICI) 60.

COUNTY LAW

- H 1009 AMORTIZATION MORATORIUM/SIGN FEE INCREASE
 (RE-REF COM ON RULES&) 358, 667, 695,
 697, 712, 721, 918.
 H 898 CABLE TELEVISION LATE FEES
 (REF TO COM ON JUDICIII) 335.
 S 531 CHEROKEE INDIANS SOLID WASTE
 (RE-REF COM ON FINANCE) 777, 932, 952,
 1031, 1072, 1095.
 S 665 CITY/COUNTY CLOSE PRIVATE STREET
 (RE- REF COM ON JUDICI) 657, 1122, 1215.
 H 901 CLARIFY DEFERRED COMPENSATION
 (RATIFIED CH.0277) 335, 619, 664, 848.
 S 607 COUNTY HOUSING REHABILITATION
 (REF TO COM ON FINANCE) 467.
 H 1124 ENVIRONMENT TECH. CORRECTIONS
 (RATIFIED CH.0342)(S 802) 403, 449, 547, 619, 907.
 S 148 FARM PURPOSE INCLUDES PLANTS
 (RATIFIED CH.0069) 133, 316, 395, 420, 431, 453, 514.
 H 715 FIRE HYDRANTS EVERY 1,000 FEET
 (RE- REF COM ON APPROP) 278, 623.
 H 1281 INCREASE DAM SAFETY (REF TO COM ON APPROP) . 610.
 H 1013 LOCAL WORKER POLITICAL ACTIVITY
 (RATIFIED CH.0619)(S 767) 358, 460, 504,
 1093, 1108, 1116.
 H 428 MENTAL HEALTH/DEVELOPMENTAL DISABILITY/
 SUBSTANCE ABUSE CARE IN JAILS
 (RATIFIED CH.0237)(S 770) 202, 252, 650, 701, 811.
 S 770 MENTAL HEALTH/DEVELOPMENTAL DISABILITY/
 SUBSTANCE ABUSE CARE IN JAILS
 (REF TO COM ON RULES&)(H 428) 678.
 H 329 PUBLIC HEARING/COUNTY HOME RULE
 (REF TO COM ON JUDICI) 174.
 H 473 PUBLIC LIBRARY POLICIES (Senate) 208, 458, 490, 541.
 H 963 REALIGN RESIDENCY DISTRICTS (Senate) 352, 843, 863, 884.
 H 134 REGIONAL WASTE AUTHORITY POWERS
 (RATIFIED CH.0580) ... 82, 98, 237, 257, 1076, 1088, 1104.
 H 938 SCHOOL EQUITY FUNDS
 (REF TO COM ON EDUCATN)(S 720) 348.
 H 86 SOLID WASTE FEES
 (RATIFIED CH.0652) 72, 94, 283, 581,
 844, 874, 896, 910, 1126, 1148, 1174.

COUNTY LAW—Con'd.

- H 501 STORMWATER UTILITIES
(RATIFIED CH.0591)(S 453) 211, 662, 853,
861, 873, 1076, 1089, 1105.
- H 929 TECHNICAL CORRECTIONS
(RATIFIED CH.0761) 347, 527, 588, 1234, 1242,
1246, 1253, 1254, 1255.
- H 125 WATER TRANSFER PERMITS
(ASSIGNED TO ENV-WAT&)(S 129) 80, 98.

CRAVEN COUNTY

- H 711 CHANGE NAME OF LOCAL ROAD
(RATIFIED CH.0378) 277, 447, 470, 944.
- H 166 CRAVEN ROAD HUNTING
(RATIFIED CH.0145) 91, 128, 134, 743.
- S 530 REPEAL FOX HUNTING SUNSET
(RATIFIED CH.0483) 531, 545, 935, 999, 1046.

CRAWFORD, JAMES W., JR.

- BILLS INTRODUCED - see APPENDIX
- COMMITTEE ASSIGNMENTS - see APPENDIX
- CONFeree: S 802
- DELEGATION MEMBER TO ATTEND
SENATOR EZZELL'S FUNERAL 43.
- OATH 9.

CRAWFORD, NARVEL J.

- BILLS INTRODUCED - see APPENDIX
- COMMITTEE ASSIGNMENTS - see APPENDIX
- ESCORT TO SPEAKER PRO TEMPORE 36.
- EXCUSED ABSENCES 445, 869, 1099.
- OATH 9.
- REMARKS MEMORIALIZING SENATOR ROBERT S. SWAIN 722.

CREECH, BILLY J.

- BILLS INTRODUCED - see APPENDIX
- COMMITTEE ASSIGNMENTS - see APPENDIX
- OATH 9.

CRIMINAL LAW

- S 284 AMEND SCHOOL WEAPON PROHIBITION
(RATIFIED CH.0622) 361, 981, 1121, 1128.
- S 518 ANIMAL RESEARCH INTERFERENCE
(RATIFIED CH.0203) 531, 764, 785, 789.
- H 305 ARMED ROBBERY ELEMENTS
(Senate) 163, 305, 326, 341, 364, 962, 998.
- H 283 ASSAULT ON PUBLIC OFFICIAL
(RATIFIED CH.0525) . 157, 546, 638, 681, 1022, 1044, 1069.
- H 471 BINGO AMENDMENTS
(RE-REF COM ON FINANCE) 208, 885.
- H 513 ETHNIC INTIMIDATION
(RATIFIED CH.0493) . 213, 667, 695, 696, 1002, 1027, 1047.
- H 217 EXTREMELY SERIOUS ASSAULT/FELONY
(Senate) 121, 144, 161.
- S 792 FALSE BOMB ALARM, FELONY
(RATIFIED CH.0648) 695, 962, 1120, 1173.
- H 1041 FELONY TO ASSIST IN SUICIDE
(REF TO COM ON JUDICII) 368.

CRIMINAL LAW—Con'd.

H 1110	FETAL MURDER (REF TO COM ON JUDICI)(S 648)	401.
H 341	HORSE RACING STUDY-2 (RE-REF COM ON APPROP)	176, 629.
S 451	IMPROVE ENVIRONMENTAL ENFORCEMENT (RATIFIED CH.0725)	694, 766, 1136, 1216, 1236.
H 413	INCREASE FINES FOR LITTERING (RATIFIED CH.0609)(S 409)	200, 223, 259, 344, 389, 1085, 1106, 1115.
H 682	INCREASE LOCAL ORDINANCE FINE (RATIFIED CH.0446)	274, 446, 470, 965, 987, 1007.
S 403	INCREASE SENTENCE/ETHNIC ANIMOSITY (RATIFIED CH.0702)	694, 1001, 1208, 1211.
H 1123	KILL LAW OFFICER/CAPITAL CRIME (Senate) 403, 626, 665.	
H 1113	LOTTERY FOR CAPITAL PROJECTS (REF TO COM ON COURTS&)	402, 865, 913.
H 863	MINIMUM BINGO CHARITY PROCEEDS (Senate)	322, 646, 673, 675.
H 903	NO CIGARETTE SALES UNDER 18-2 (REF TO COM ON JUDICIII)	335.
H 160	NO SADISTIC VIDEOS TO MINORS (REF TO COM ON JUDICI)	90.
H 852	NO TOBACCO SALES UNDER 18 (RATIFIED CH.0628)	320, 539, 589, 1100, 1117, 1129.
H 838	PENALTY FOR CROP DESTRUCTION (RATIFIED CH.0534)	308, 458, 490, 541, 638, 683, 1022, 1045, 1070.
H 258	PRISONERS WORK FOR COUNTIES (REF TO COM ON JUDICI)(H 259)	141.
H 259	PRISONERS WORK FOR COUNTIES (REF TO COM ON JUDICI)(H 258)	141.
H 698	PROFESSIONAL GAMBLING FELONY (REF TO COM ON JUDICIII)	276.
H 180	RAISE FELONY AMOUNTS (RATIFIED CH.0523)	100, 140, 148, 1021, 1044, 1069.
S 773	RECYCLABLE 6-PACK RINGS (RATIFIED CH.0236)	551, 716, 789, 808, 811.
H 149	REGULATE PUBLIC SMOKING (Senate)(S 126) 84, 284, 324.	
H 1058	STATE ETHICS CODE-2 (REF TO COM ON JUDICIII) . 370.	
S 385	STATE EXAMINATIONS SECURE (RATIFIED CH.0360)	309, 767, 820, 855, 929, 943.
H 536	STATUTORY RAPE REDEFINED (REF TO COM ON RULES&)	216.
H 926	TICKET PRICE SERVICE FEE (RATIFIED CH.0165)	347, 497, 507, 537, 754.
H 378	TRESPASS TO HUNT (REPTD UNFAV)	192, 525.
H 179	UNDERCOVER MV INFO. CONFIDENTIAL-1 (REPTD UNFAV)	100, 764.
H 786	WATER/SEWER ORDINANCE PENALTY (RATIFIED CH.0415)	292, 452, 490, 967.

CRIMINAL PROCEDURE

H 1003	AIDS TEST/SEX OFFENSES (Senate)	357, 459, 491, 504.
S 43	AUTOMATIC COMMITMENT, INSANITY (RATIFIED CH.0037)	129, 236, 256, 306.
H 1072	CHILD TESTIMONY BY TV-1 (Senate)(S 783) 383, 662, 690.	

CRIMINAL PROCEDURE—Con'd.

H 1076	CHILD TESTIMONY BY TV-2 (REF TO COM ON JUDICII)	383.
H 949	CHILD WITNESS PRIVACY (REF TO COM ON JUDICI)	350.
H 1255	DHR LICENSE FEES/DOC DRUG FEES (Senate)	607, 1134, 1156, 1169.
S 763	DISMISSAL, DEFERRED PROSECUTION (RATIFIED CH.0109)	499, 710, 724, 729.
S 52	DOMESTIC VIOLENCE ARREST (RATIFIED CH.0150)	196, 725, 739, 747, 753.
H 436	DRUG OFFENSE ARREST POWERS (RE-REF COM ON APPROP)	203, 581, 622.
H 1081	DRUG OFFENSE, NO HOUSE ARREST (REF TO COM ON JUDICIII)	398.
S 744	EXPUNCTION OF RECORDS (RATIFIED CH.0326)	550, 833, 850, 862, 901, 906.
H 976	FEDERAL OFFICER IMMUNITY (RATIFIED CH.0262)	353, 647, 673, 822, 825, 836.
S 716	GRAND JURY DRUG INVESTIGATION (RATIFIED CH.0686)	532, 976, 1121, 1194.
S 403	INCREASE SENTENCE/ETHNIC ANIMOSITY (RATIFIED CH.0702)	694, 1001, 1208, 1211.
H 950	JURY INSTRUCTIONS/LIFE SENTENCES (REF TO COM ON JUDICI)	350.
H 1263	LRC STUDY SEX OFFENSE EVIDENCE (REF TO COM ON RULES&)	608.
H 1102	NO COMMENTS ON PENALTY (REF TO COM ON JUDICI)	400.
H 1005	NO DEATH PENALTY/MENTALLY RETARDED (RE- REF COM ON APPROP)	357, 626.
S 415	PAROLE CHANGES (RATIFIED CH.0217)(H 517)	298, 761, 780, 800.
H 517	PAROLE CHANGES (REF TO COM ON JUDICI)(S 415) ..	213.
H 442	PAROLE NOTIFICATION (RATIFIED CH.0288)	204, 436, 473, 485, 504, 834, 849, 860.
H 208	PAROLEES PURSUE DEGREE (RATIFIED CH.0054)	113, 139, 148, 416.
H 936	PROBATE EXTENSION NOTIFICATION (REF TO COM ON JUDICI)	348, 639.
H 462	REVENUE EMPLOYEE SERVE PAPERS (RATIFIED CH.0157)	206, 305, 341, 753.
S 934	SATELLITE JAIL COMMITMENT (RATIFIED CH.0486)	690, 918, 997, 1046.
H 662	UNCLAIMED PROPERTY CHANGES (RATIFIED CH.0531)	266, 285, 413, 435, 835, 847, 999, 1060, 1070.
H 224	WITHDRAW TRIAL DE NOVO APPEAL (RATIFIED CH.0063)	122, 223, 234, 451.

CULP, ARLIE F.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

EXCUSED ABSENCES

OATH

CUMBERLAND COUNTY

- H 215 CUMBERLAND AUDITORIUM COMM'N
(RATIFIED CH.0027) 115, 135, 148, 199.
- H 95 CUMBERLAND INDUSTRIAL SITES
(RATIFIED CH.0057) 73, 104, 110, 404, 417, 439.
- H 672 CUMBERLAND SCHOOL FILING
(RATIFIED CH.0445) 267, 392, 419, 1007.
- H 458 CUMBERLAND SOLID WASTE FEES
(REPTD TO FINANCE) 206, 283, 582.
- H 699 FAYETTEVILLE FIREMEN'S FUND
(RATIFIED CH.0149) 276, 525, 629, 659, 743.

CUNNINGHAM, W. PETE

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFeree: H 734

ESCORT FOR SPEAKER 22.

EXCUSED ABSENCES 60, 243, 1084, 1195.

OATH 9.

CURRITUCK COUNTY

- H 193 CURRITUCK LEASH LAW DISTRICT
(RATIFIED CH.0625) 107, 128, 155, 170,
177, 1099, 1114, 1129.
- H 85 CURRITUCK NOISE DISTRICTS
(RATIFIED CH.0005) 71, 94, 102, 127.
- H 84 CURRITUCK TAX SUNSET REMOVED
(RATIFIED CH.0047) 71, 94, 155, 168, 176, 384.
- H 340 INCREASE CURRITUCK OCCUPANCY TAX
(RATIFIED CH.0155) 176, 460, 501, 515, 753.

-D-

DAIRY PRODUCTS - see AGRICULTURE**DARE COUNTY**

- H 225 DARE OCCUPANCY/MEALS TAX
(RATIFIED CH.0177) 122, 146, 181, 259,
299, 311, 718, 735, 743, 754, 771.
- H 651 MANTEO ANNEXATION
(REF TO COM ON LOC& RGI) 264.

DAVIDSON COUNTY

- H 816 DAVIDSON/3RD DEGREE TRESPASS
(RATIFIED CH.0252) 296, 552, 575, 777, 805, 814, 826.

DAVIE COUNTY

- H 243 DAVIE PROPERTY TAX ENFORCEMENT
(RATIFIED CH.0194) 137, 150, 160, 783.
- H 248 MOORESVILLE OCCUPANCY TAX
(RATIFIED CH.0296) 137, 156, 170, 178, 847, 860, 875.

DAWKINS, DONALD M.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFeree: H 281

EXCUSED ABSENCES 131, 344, 423, 492, 821.

OATH 9.

OFFERS PRAYER 271.

DAY CARE - see CHILD WELFARE**DEAF INTERPRETERS**

H 485 INTERPRETER FEE AUTHORIZATION

(RATIFIED CH.0465) 209, 526, 583, 614, 1024.

DECKER, MICHAEL P.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

EXCUSED ABSENCES 67, 436, 445, 781.

OATH 9.

DEMOCRATIC CAUCUS LEADERS ANNOUNCED 41.**DEVANE, DANIEL H.**

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFeree: H 83

ESCORT FOR GOVERNOR 41, 44.

EXCUSED ABSENCES 198, 436, 781.

OATH 9.

DIAL, ADOLPH LORENZ

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

EXCUSED ABSENCES 73, 378, 423, 1164, 1193, 1210, 1234.

OATH 9.

VOTE CHANGE 714.

DIAMONT, DAVID H.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFeree: H 83, H 929, H 1287, S 930

EXCUSED ABSENCES 103, 327, 344, 365.

OATH 9.

DICKSON, W. W.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

EXCUSED ABSENCES 67, 103, 186, 243, 409, 423, 691, 725, 981.

OATH 9.

OFFERS PRAYER 749.

DIETETICS/NUTRITION

H 564 DIETETICS/NUTRITION PRACTICE ACT

(RATIFIED CH.0668)(S 264) 220, 253, 940,

998, 1039, 1073, 1095, 1155, 1166, 1193.

DIVORCE

- H 1129 CHILD SUPPORT AGE/COLLEGE
(REF TO COM ON COURTS&) 404.
- H 510 CHILD SUPPORT ORDER MODIFIED
(REF TO COM ON JUDICII)(S 383) 213.
- H 396 CLARIFY ALIMONY LAW
(RATIFIED CH.0569) 194, 366, 407, 421, 1092.
- H 395 DIVORCE SUMMARY JUDGMENT
(RATIFIED CH.0568) 194, 366, 389, 407, 1092.
- H 417 EQUITABLE DIST. FOR INCOMPETENT
(RATIFIED CH.0610) 200, 380, 408, 472,
662, 687, 1093, 1108, 1115.
- H 190 EQUITABLE DISTRIBUTION JUDGMENT
(Senate) 106, 662, 687, 1092, 1107, 1124.
- H 398 MARITAL ASSET DISTRIBUTION
(RATIFIED CH.0635) 194, 424, 444, 1092,
1108, 1117, 1127, 1147.
- H 829 MARITAL PROPERTY PRESUMPTION (Senate) 307, 487, 523.
- H 397 RETIREMENT EQUITABLE DISTRIBUTION
(Senate) 194, 590, 662, 690.

DOCKHAM, JERRY C.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

EXCUSED ABSENCES 50, 53, 78, 198, 423, 715, 781, 821.

OATH 9.

DOCTORS - see MEDICINE**DOGS**

- H 1031 NO BREED-SPECIFIC ORDINANCES
(REF TO COM ON JUDICII) 360.

DOMESTIC VIOLENCE

- S 935 INCREASE MARRIAGE LICENSE FEES
(RATIFIED CH.0693) .. 1078, 1135, 1158, 1177, 1188, 1210.

DRAINAGE

- H 132 DRAINAGE ASSESSMENT NOTICE
(RATIFIED CH.0634) 81, 510, 560, 1147.

DRIVER'S LICENSE - see MOTOR VEHICLES**DRUGS - see MEDICINE****DUPLIN COUNTY**

- H 790 FAISON/BELMONT ZONING JURISDICTION
(RATIFIED CH.0596) 293, 461, 485, 1064, 1087, 1105.
- S 501 DUPLIN INDUSTRIAL SITE
(RATIFIED CH.0390) 698, 706, 787, 857, 879, 891, 954.

DURHAM COUNTY

- H 720 AMEND DURHAM FAIR HOUSING
(RATIFIED CH.0379) 279, 392, 419, 945.
- H 763 DURHAM CHARTER AMENDMENTS
(RATIFIED CH.0532) 290, 544, 575, 1038, 1043, 1070.
- H 825 DURHAM CITY MANAGER
(RATIFIED CH.0617) 297, 525, 554, 1093, 1106, 1116.

DURHAM COUNTY—Con'd.

H 721	DURHAM CITY/COUNTY DISCRIMINATION (Senate)	279, 392, 419.
H 765	DURHAM COUNTY IMPACT FEES (Senate)	290, 951, 1042, 1053, 1094, 1108.
H 764	DURHAM DENSITY BONUS (RATIFIED CH.0503)	290, 544, 575, 1048.
H 722	DURHAM DEVELOPMENT PLANS (RATIFIED CH.0380)	279, 392, 420, 945.
H 723	DURHAM ORDINANCE PENALTIES (Senate)	279, 393, 492, 533, 551.
H 824	DURHAM TRANSPORTATION AUTH. (RATIFIED CH.0560)	297, 525, 554, 1091.
S 585	DURHAM ASSESSMENTS/LOCAL ROOM TAXES (RATIFIED CH.0577)	467, 710, 963, 1034, 1051, 1103.
S 580	DURHAM OCCUPANCY TAX INCREASE (RATIFIED CH.0665)	800, 1135, 1152, 1167, 1193.
S 584	DURHAM PARKING/SCHOOL MERGER VOTE (RE- REF COM ON RULES&)	1178, 1232, 1239.
S 520	DURHAM PROPERTY ACQUISITION (RATIFIED CH.0107)	466, 710, 720, 729.

-E-

EAGLES, LARRY P.

ELECTED SERGEANT-AT-ARMS, ADMINISTERED OATH	38.
---	-----

EASTERLING, RUTH M.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFeree: H 408, H 996, S 816

EXCUSED ABSENCES	941, 949, 961, 981, 1001.
------------------------	---------------------------

OATH	9.
------------	----

SECONDS NOMINATION OF

REP. DANIEL BLUE, JR. AS SPEAKER	18.
--	-----

EDGECOMBE COUNTY

H 112	LINCOLN/EDGECOMBE DEED REGISTER (RATIFIED CH.0014)	77, 94, 101, 106, 168.
H 138	LINCOLN/EDGECOMBE SHERIFF VACANCY (RATIFIED CH.0015)	82, 94, 103, 106, 168.
H 663	ROCKY MOUNT FIREMEN'S FUND (RATIFIED CH.0497)	266, 561, 613, 1047.
H 727	TARBORO ANNEXATION (RATIFIED CH.0305)	280, 457, 484, 876.
S 498	EDGECOMBE/TARBORO SCHOOL MERGER (RATIFIED CH.0404)	616, 838, 867, 895, 909, 966.
S 612	NASH/ROCKY MOUNT SCHOOL MERGER (RATIFIED CH.0391)	792, 843, 857, 867, 893, 894, 908, 954.
S 530	REPEAL FOX HUNTING SUNSET (RATIFIED CH.0483)	531, 545, 935, 999, 1046.

**EDUCATION—see HIGHER EDUCATION, PUBLIC EDUCATION,
also see COMMUNITY COLLEGES**

**EDUCATION, STATE BOARD OF,
CONFIRMATION OF APPOINTMENTS (HJR 695) 235, 514.**

ELECTIONS

- S 193 ABOLISH RUNOFF PRIMARY
(RE-REF COM ON COURTS&) 678, 701.
- H 750 ABSENTEE BALLOTS/GUARDIANS
(RATIFIED CH.0337) 288, 452, 489, 907.
- H 103 APPOINTED JUDGES/STATUTE-2
(REF TO COM ON COURTS&) 76.
- S 72 APPOINTED JUDGES/STATUTE-1
(REF TO COM ON COURTS&) 159.
- H 896 BALLOT AMENDMENTS (REPTD UNFAV) 335, 509.
- H 830 CAMPAIGN FINANCE LAW EXTENDED
(REPTD UNFAV) 307, 663.
- H 887 CANDIDATE APPEARANCE IN AD
(ASSIGNED TO FIN-W&M) 334, 642, 703.
- H 787 CANDIDATES FINANCING FUND
(RATIFIED CH.0397) 293, 511, 562, 954.
- H 1073 CLARIFY BALLOT INSTRUCTIONS
(RATIFIED CH.0641) 383, 509, 563, 587,
1004, 1030, 1040, 1096, 1123, 1147.
- S 16 CONGRESSIONAL REDISTRICTING-1
(RATIFIED CH.0601) 937, 942, 960, 973, 983,
1012, 1055, 1064, 1099, 1101, 1114.
- H 1301 CONGRESSIONAL REDISTRICTING-2
(REF TO COM ON CONGREDI) 847.
- H 1310 CONGRESSIONAL REDISTRICTING-3
(REF TO COM ON CONGREDI) 1099, 1114.
- S 250 EDUCATION GOVERNANCE CHANGES
(REF TO COM ON RULES&) 1077.
- H 87 ELECT GOVERNOR EVEN-NUMBER YEAR-1
(RE- REF COM ON APPROP) 72, 345, 377, 472.
- H 32 ELECTION DAY TRANSFER SIMPLIFIED
(RATIFIED CH.0012) 56, 87, 111, 116, 159.
- H 40 ELECTION DAY TRANSFER SUNSET OFF
(REF TO COM ON JUDICI) 61.
- S 485 ELECTION LAW REFORM
(RATIFIED CH.0727) 698, 705, 997, 1208, 1213, 1236.
- H 1126 ELECTION LAWS CHANGES
(RE-REF COM ON COURTS&) 403, 663, 700.
- H 324 ELECTION RESULTS FILING
(RATIFIED CH.0428)(S 313) 166, 476, 522, 953, 969, 984.
- H 752 ELECTIONS BOARD COMPENSATION
(RATIFIED CH.0338) 288, 460, 518, 907.
- H 209 FAMILY CAMPAIGN CONTRIBUTIONS
(REPTD UNFAV) 113, 646.
- H 751 FULL-TIME REGISTRATION
(POSTPONED INDEFINITELY) 288, 452.
- S 556 INCORPORATION VOTE/FILING PERIOD
(REF TO COM ON COURTS&) 653.
- H 105 LICENSE EXAMINER REGISTER VOTER
(RE- REF COM ON APPROP) 76, 476.
- H 870 MANDATORY VOTER ID (Senate) 332, 460, 507.

ELECTIONS—Con'd.

H 964	NONPARTISAN PRIMARY BALLOTS (RATIFIED CH.0341)	352, 509, 563, 907.
H 420	OMNIBUS TECHNICAL AMENDMENTS (RATIFIED CH.0636) 201, 594, 664, 1002, 1122, 1127, 1147.	
H 934	OPEN BALLOT ACCESS (REPTD UNFAV)	348, 509.
H 295	PAC CONTRIBUTION LIMITS (RE-REF COM ON JUDICIII)	159, 414.
H 276	POLITICAL PARTIES FUND ADMIN. (RATIFIED CH.0347)	156, 235, 248, 923.
H 1240	PRECINCT CHANGE AMENDMENTS (RE-REF COM ON APPROP)(S 910)	605, 843.
S 910	PRECINCT CHANGE AMENDMENTS (REF TO COM ON LEGIREDI)(H1240)	1232.
H 106	REGISTER VOTER BY MAIL (RE-REF COM ON APPROP)	77, 365.
S 488	REGISTRATIONS FORWARDED PROMPTLY (RATIFIED CH.0363)	699, 857, 929, 943.
H 100	REPEAL RESIGN-TO-RUN (REF TO COM ON JUDICI) ..	74.
H 104	SAME DAY VOTER REGISTRATION (REF TO COM ON COURTS&)	76.
H 929	TECHNICAL CORRECTIONS (RATIFIED CH.0761)	347, 527, 588, 1234, 1242, 1246, 1253, 1254, 1255.
H 391	UNAFFILIATED CANDIDATE PETITION (RATIFIED CH.0297)	193, 446, 489, 876.
H 655	VOTER LIST INFORMATION (Senate)	265, 452, 489.
H 671	VOTER LIST SALE RESTRICTED (RE-REF COM ON COURTS&)	267, 509, 560, 616, 661.
H 1023	VOTER REGISTRATION BLANK (REF TO COM ON RULES&)	359.

ELECTRIFICATION

H 908	RURAL ELEC. REGULATORY FEE (RATIFIED CH.0473)	336, 593, 809, 830, 839, 1025.
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**ELIZABETH CITY STATE UNIVERSITY,
HOUSE & SENATE MEET JOINTLY IN MOCK SESSION . 1550.**

EMINENT DOMAIN

H 931	PRIVATE PROPERTY PROTECTION (REF TO COM ON JUDICI)	347.
S 707	RETURN OF CONDEMNED PROPERTY (RE-REF COM ON TRANSPOR)	679, 1111, 1140, 1217.

EMPLOYMENT SECURITY

S 429	AMEND UNEMPLOYMENT HEARINGS (RATIFIED CH.0723)	428, 438, 932, 1039, 1212, 1236.
H 438	CONFORM EMPLOYMENT SECURITY LAW (ASSIGNED TO ECO-LBR&)(S 321)	203, 224.
S 321	CONFORM EMPLOYMENT SECURITY LAW (RATIFIED CH.0423)(H 438) .	322, 330, 866, 904, 978, 984.
H 855	EMPLOYER ACCOUNT BENEFIT CHARGE (RATIFIED CH.0276)	321, 330, 413, 435, 848.
S 287	EMPLOYMENT SECURITY CHANGES (RATIFIED CH.0421)	322, 330, 865, 904, 975, 984.
S 319	EMPLOYMENT SECURITY LATE FILING (RATIFIED CH.0422)	322, 330, 866, 904, 976, 984.

EMPLOYMENT SECURITY—Con'd.

- S 320 EMPLOYMENT SECURITY TECH. CHANGE
(RATIFIED CH.0458) 655, 704, 866, 904, 977, 1024.
- H 439 EMPLOYMENT SECURITY TECH. CHANGE-2
(ASSIGNED TO ECO-LBR&) 203, 224.
- S 401 ESC INFORMATION TO CONTROLLER
(RATIFIED CH.0603) 428, 438, 959, 966, 1110, 1114.
- S 893 ESC RESERVE FUND (REF TO COM ON RULES&) 1042.
- S 724 EXPANDED BASE PERIOD DEFINED
(RATIFIED CH.0409) 572, 635, 762, 865, 930, 967.
- H 315 SHORTAGE OCCUPATION ASSISTANCE
(Senate)(S 277) 165, 459, 504.
- S 277 SHORTAGE OCCUPATION ASSISTANCE
(RATIFIED CH.0357)(H 315) 530, 844, 928, 943.
- S 745 UNEMP. BENEFIT DISQUALIFICATION
(RATIFIED CH.0219) 658, 704, 769, 795, 796, 800.

ENFORCE JUDGMENTS

- H 1103 PROPERTY EXEMPT FROM EXECUTION
(REF TO COM ON COURTS&)(S 757) 400.
- S 817 PROTECT BONA FIDE PURCHASES
(RATIFIED CH.0607) 631, 941, 1074, 1115.

ENGINEERS & SURVEY

- H 1091 LICENSING BOARDS UNDER BUDGET
(RE-REF COM ON FINANCE) 399, 506.

ESCHEATS

- S 649 AIR CARGO AIRPORT AUTHORITY
(RATIFIED CH.0749) 700, 844, 1162,
1180, 1206, 1221, 1222, 1241, 1243, 1245.
- H 1080 CERTAIN UNC ESCHATE RECEIPTS
(REF TO COM ON APPROP) 397.
- S 109 MODIFY TAX SECRECY PROVISION
(REF TO COM ON JUDICII) 129.

ESPOSITO, THERESA H.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFeree: H 89.

ESCORT FOR U.S.A. ALL AMERICAN ACADEMIC STUDENTS . 262.

EXCUSED ABSENCES 65, 67, 161, 174, 181, 186,
390, 409, 445, 456, 941.

MINORITY WHIP 41.

NOMINATED FOR SPEAKER PRO TEMPORE 33.

OATH 9.

ESTATES

- S 689 SURVIVORSHIP LAW CLARIFIED
(RATIFIED CH.0606) 467, 956, 1096, 1109, 1115.

ETHICS - also see GENERAL ASSEMBLY

- H 83 1991-93 APPROPRIATIONS ACT
(RATIFIED CH.0689) 71, 794, 807, 818, 822, 864,
868, 870, 1063, 1111, 1160, 1172, 1195, 1196, 1199.
- S 71 APPOINTED JUDGES/CONSTITUTION-1
(REF TO COM ON COURTS&) 167.

ETHICS—Con'd.

H 102	APPOINTED JUDGES/CONSTITUTION-2 (REF TO COM ON COURTS&)	76.
H 103	APPOINTED JUDGES/STATUTE-2 (REF TO COM ON COURTS&)	76.
S 72	APPOINTED JUDGES/STATUTE-1 (REF TO COM ON COURTS&)	159.
H 913	COASTAL COMM'N MEMBERSHIP (Senate)	337, 382, 494, 537.
S 686	DIRECTORS CONFLICT OF INTEREST (RATIFIED CH.0172)	481, 723, 745, 763, 770.
H 209	FAMILY CAMPAIGN CONTRIBUTIONS (REPTD UNFAV)	113, 646.
S 722	LEGISLATIVE ETHICS JURISDICTION (REF TO COM ON RULES&)	616.
H 1106	LEGISLATIVE ETHICS JURISDICTION-2 (RATIFIED CH.0700)	401, 559, 619, 1183, 1199, 1211.
H 89	LOBBYIST REGULATIONS REVISED (RATIFIED CH.0740)	72, 476, 557, 581, 621, 644, 1205, 1220, 1223, 1237.
H 325	LOBBYIST REGULATIONS REVISED-2 (RE-REF COM ON JUDICIII)	167, 646, 671.
H 1013	LOCAL WORKER POLITICAL ACTIVITY (RATIFIED CH.0619)	358, 460, 504, 1093, 1108, 1116.
S 917	OMNIBUS STUDY BILL-1 (RATIFIED CH.0754)	1233, 1240, 1242, 1243, 1254.
H 14	GENERAL ASSEMBLY OPEN MEETINGS (RATIFIED CH.0694) ...	47, 86, 660, 686, 1183, 1199, 1210.
H 882	OPEN MEETINGS AMENDMENTS (REF TO COM ON JUDICII)	333.
H 1128	OPEN MEETINGS AMENDMENTS-2 (REF TO COM ON JUDICII)	404.
H 295	PAC CONTRIBUTION LIMITS (RE-REF COM ON JUDICIII)	159, 414.
S 801	PRESIDENT PRO TEM APPOINTMENTS (RATIFIED CH.0739)	699, 710, 1150, 1218, 1237.
H 915	PSYCHOLOGISTS' CONDUCT CODE (RATIFIED CH.0239)	337, 587, 615, 788, 797, 802, 811.
H 777	RALEIGH CHARTER AMENDED (RATIFIED CH.0312)	291, 461, 586, 613, 632, 889.
H 51	REVISE PROPERTY TAX COMM'N LAW (RATIFIED CH.0110)	62, 145, 171, 729.
H 979	SBI INVESTIGATE MISCONDUCT (RE-REF COM ON JUDICIII)	354, 672, 712.
H 309	STATE BAR AMENDMENTS (RATIFIED CH.0210)	164, 391, 434, 443, 472, 776, 784, 790.
H 1058	STATE ETHICS CODE-2 (REF TO COM ON JUDICIII) ..	370.

ETHRIDGE, W. BRUCE

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFeree: H 659

DELEGATION MEMBER TO ATTEND

SENATOR EZZELL'S FUNERAL 43.

ESCORT FOR PRISONERS OF WAR

(OPERATION DESERT STORM) 731.

EXCUSED ABSENCES 89, 198, 284, 409, 492, 981.

OATH 9.

SECONDS NOMINATION OF

REP. MARIE W. COLTON AS SPEAKER PRO TEMPORE 35.

EVIDENCE

H 418 ADMISSION OF DEPOSITIONS

(RATIFIED CH.0491) . 200, 511, 562, 635, 1002, 1027, 1047.

H 1263 LRC STUDY SEX OFFENSE EVIDENCE

(REF TO COM ON RULES&) 608.

H 997 OPTOMETRY LAW CHANGES

(REF TO COM ON HUMRES) 356.

EXECUTIVE REORGANIZATION

H 1125 ABUSED CHILDREN FUNDS

(REF TO COM ON APPROP) 403.

H 563 ACTION UNDER CIVIL RIGHTS ACT

(RATIFIED CH.0433) 220, 646, 672, 887, 949, 968, 985.

H 528 AMEND REPORTING REQUIREMENTS (Senate) 215, 558, 598.

S 348 AMEND STATE AUDITOR'S DUTIES

(REF TO COM ON STATGOVT) 465.

H 249 BUSINESS INCUBATOR EXTENSION

(RATIFIED CH.0111) 137, 162, 272, 303, 730.

H 416 CHILD DAY CARE LAW CHANGES

(RATIFIED CH.0273) 200, 251, 593, 670, 821, 825, 837, 848.

H 78 CLARIFY FUNERAL BENEFITS

(RATIFIED CH.0062) 71, 112, 116, 123, 451.

H 551 CLEAN AIR ACT IMPLEMENTED

(RATIFIED CH.0552) 218, 223, 494, 794,
806, 815, 1077, 1090.

H 532 CONTROLLED SUBSTANCES SECURITY

(RATIFIED CH.0309) 216, 252, 496, 537, 888.

S 458 CONTROLLER TECHNICAL CHANGES

(RATIFIED CH.0542) 689, 935, 1059, 1089.

H 332 COUNCIL ON DISABILITIES CHANGE

(RATIFIED CH.0608) 175, 250, 412, 505, 560,
1092, 1107, 1115.

H 562 COUNCIL ON STATUS OF WOMEN

(RATIFIED CH.0134) 220, 317, 449, 489, 718, 730, 738.

H 1115 CREATE DIV'N OF ADULT SERVICES

(REF TO COM ON APPROP) 402.

H 1089 DEFERRED PROSECUTION PROGRAM

(REF TO COM ON JUDICII) 399.

H 1255 DHR LICENSE FEES/DOC DRUG FEES

(Senate) 607, 1134, 1156, 1169.

S 250 EDUCATION GOVERNANCE CHANGES

(REF TO COM ON RULES&) 1077.

H 1056 EMC CANNOT REMIT FINES

(ASSIGNED TO ENV-WAT&) 370, 449.

EXECUTIVE REORGANIZATION—Con'd.

H 25	EMC COMMUNITY SERVICE PROGRAM (Senate)	54, 98, 271, 313, 341, 377, 381, 479, 520, 522, 529, 547, 618.
H 1124	ENVIRONMENT TECH. CORRECTIONS (RATIFIED CH.0342)(S 802)	403, 449, 547, 619, 907.
S 436	EXPAND/STAGGER PAROLE COMM'N (REF TO COM ON RULES&)	1183.
S 650	EXPEDITE ADOPTION SERVICES (REF TO COM ON FINANCE)	550.
H 93	FAMILY PRESERVATION SERVICES (ASSIGNED TO HUM-CHL&)(S 141)	73, 251.
S 141	FAMILY PRESERVATION SERVICES (RATIFIED CH.0743)(H 93)810, 951, 955, 1192, 1219, 1237.	
H 409	FARMWORKER COUNCIL MEMBERSHIP (RATIFIED CH.0130)	199, 250, 329, 506, 524, 737.
H 1040	FETAL MODEL FOR ABORTION CLIENT (REF TO COM ON HUMRES)	368.
S 165	HOME/COMMUNITY CARE BLOCK GRANT (RATIFIED CH.0241)	655, 716, 775, 792, 808, 817, 825.
S 155	IMPROVE APA RULE-MAKING PROCESS (RATIFIED CH.0418)(H 130) .	678, 799, 875, 914, 925, 984.
H 130	IMPROVE APA RULE-MAKING PROCESS (REF TO COM ON JUDICII)(S 155)	81.
S 166	IN-HOME COMMUNITY-BASED FEES (RATIFIED CH.0052)	298, 328, 365, 388, 406, 416.
H 350	INDIAN AFFAIRS COMM'N DIRECTOR (RATIFIED CH.0088)(S 308)	183, 587, 622, 676.
S 405	KING HOLIDAY COMM'N CREATED (REF TO COM ON RULES&)	1220.
S 350	LIBRARY/HISTORY MUSEUM OPERATIONS (RATIFIED CH.0757)	466, 766, 819, 1006, 1197, 1245, 1248, 1251, 1255.
H 570	MARINE FISHERIES AMENDMENTS (RATIFIED CH.0135)	221, 240, 244, 493, 542, 738.
H 595	MEHERRIN INDIAN COMM'N MEMBER (RATIFIED CH.0467)(S 462) .	239, 318, 587, 590, 627, 1024.
S 462	MEHERRIN INDIAN COMM'N MEMBER (REPTD TO STATGOVT)(H 595)	617, 767, 846.
S 389	OCEAN AFFAIRS COUNCIL (RATIFIED CH.0320)(H 537)	656, 741, 833, 851, 905.
H 537	OCEAN AFFAIRS COUNCIL (REF TO COM ON STATGOVT)(S 389)	216.
S 814	OLDER ADULTS ADVISORY (RATIFIED CH.0711)	679, 948, 1058, 1212, 1235.
H 420	OMNIBUS TECHNICAL AMENDMENTS (RATIFIED CH.0636) .	201, 594, 664, 1002, 1122, 1127, 1147.
H 116	PORTS AUTHORITY CONTRACTS (POSTPONED INDEFINITELY)(S 68)	79, 492.
S 68	PORTS AUTHORITY CONTRACTS (REF TO COM ON STATGOVT)(H 116)	138.
H 505	RESPIRE CARE CHANGE (RATIFIED CH.0332)	212, 251, 318, 342, 364, 389, 906.
H 51	REVISE PROPERTY TAX COMM'N LAW (RATIFIED CH.0110)	62, 145, 171, 729.
S 373	SCIENCE TECHNOLOGY BOARD (RATIFIED CH.0573)	655, 918, 1057, 1103.

EXECUTIVE REORGANIZATION—Con'd.

H	447	SCIENCE TECHNOLOGY BOARD-2 (REF TO COM ON SCI&TECH)	204.
H	512	SEDIMENTATION CONTROL COMMISSION (RATIFIED CH.0551)	213, 587, 624, 1041, 1068, 1090.
H	204	SOCIAL SERVICES REST HOME RULES (RATIFIED CH.0462)	109, 114, 146, 154, 172, 436, 473, 486, 810, 981, 1008, 1024.
S	354	STATE LIBRARY COMM'N DUTIES (REPTD UNFAV)	466, 1006.
S	353	STATE LIBRARY COMM'N MEMBERS (REPTD UNFAV)	466, 1006.
S	402	STUDENT ACCESS STATE TELEPHONE (RE- REF COM ON APPROP)	1078, 1135.
S	9	SUP'T CHAIR STATE EDUC. BOARD-1 (Senate)	654, 996, 1208, 1228, 1229, 1239, 1246, 1252.
H	77	SUP'T CHAIR STATE EDUC. BOARD-2 (RE- REF COM ON APPROP)	70, 592, 635, 661, 701.
S	312	TEACHERS DEFERRED COMPENSATION (RATIFIED CH.0389)	655, 750, 775, 853, 929, 948, 954.
H	929	TECHNICAL CORRECTIONS (RATIFIED CH.0761)	347, 527, 588, 1234, 1242, 1246, 1253, 1254, 1255.
S	522	TRAVEL AND TOURISM BOARD (RATIFIED CH.0406) 656, 704, 726, 837, 854, 916, 927, 967.	
S	362	USS NC BATTLESHIP COMM'N (RATIFIED CH.0073)	309, 330, 494, 523, 532.
S	450	WATER POLLUTION CONTROL OPERATORS (RATIFIED CH.0623)	982, 1039, 1109, 1118, 1128.
H	385	YOUTH COUNCIL CHANGES (RATIFIED CH.0128)	193, 250, 438, 506, 538, 737.

-F-

FAMILY PLANNING

H	83	1991-93 APPROPRIATIONS ACT (RATIFIED CH.0689)	71, 794, 807, 818, 822, 864, 868, 870, 1063, 1111, 1160, 1172, 1195, 1196, 1199.
S	411	ABOLISH PERINATAL COUNCIL (RATIFIED CH.0518)	531, 936, 1059, 1069.
H	1247	BUNCOMBE AREA APPROPRIATIONS (REF TO COM ON APPROP)	606.
H	540	CHILD NEGLECT DRUG EXPOSURE (RE-REF COM ON APPROP)	217, 566.
H	49	ECU NURSE MIDWIFERY FUNDS (REF TO COM ON APPROP)	62.
H	1040	FETAL MODEL FOR ABORTION CLIENT (REF TO COM ON HUMRES)	368.
H	93	FAMILY PRESERVATION SERVICES (ASSIGNED TO HUM-CHL&)(S141)	73, 251.
S	141	FAMILY PRESERVATION SERVICES (RATIFIED CH.0743)(H 93) 810, 951, 955, 1192, 1219, 1237.	
H	1184	INFANT MORTALITY FUNDS (REF TO COM ON APPROP)	568.
H	1194	MATERNITY HOME FUNDS (REF TO COM ON APPROP)	569.

FAMILY PLANNING—Con'd.

H 358	MECKLENBURG AREA FUNDS (REF TO COM ON APPROP)	184.
H 930	PARENTAL LEAVE ACT (RE-REF COM ON APPROP)	347, 662, 687, 708.
H 499	PUBLIC HEALTH MISSION (RATIFIED CH.0299)	211, 252, 650, 686, 693, 876.
H 999	PURCHASE MATERNITY LEAVE (Senate)	356, 561, 858, 878.
H 296	STATE MATERNITY HOMES FUNDS (REF TO COM ON APPROP)	162.
H 749	TEACH SEXUAL ABSTINENCE (REPTD TO EDUCATN)	288, 438, 642.

FARMER'S MARKETS -

see AGRICULTURE; also see APPROPRIATIONS

FENCES & STOCK

H 874	MODERNIZE STRAY LAW (RATIFIED CH.0472) ...	332, 424, 462, 586, 614, 634, 1025.
-------	---	-------------------------------------

FIDUCIARIES

S 661	FIDUCIARY SPLIT, COMBINE TRUSTS (RATIFIED CH.0192)	657, 725, 740, 747, 782.
S 780	RESTRICT FIDUCIARY POWER (RATIFIED CH.0174)	690, 745, 763, 771.

FITCH, MILTON F., JR.

	ANNOUNCES DEMOCRATIC CAUCUS LEADERS	41.
	BILLS INTRODUCED - see APPENDIX	
	COMMITTEE ASSIGNMENTS - see APPENDIX	
	CONFeree: H 83, H 89, H 796, H 1287, S 16, S 649	
	DELEGATION MEMBER TO ATTEND SENATOR EZZELL'S FUNERAL	43.
	ESCORT FOR REP. MCGEE TO LEGISLATIVE SEAT	119.
	ESCORT FOR U.S.A. ALL AMERICAN ACADEMIC STUDENTS .	262.
	EXCUSED ABSENCES	65, 67, 144, 327, 344, 492, 742, 749.
	MAJORITY WHIP	41.
	OATH	9.
	PRESIDING	325.

FLAHERTY, DAVID T., JR.

	BILLS INTRODUCED - see APPENDIX	
	COMMITTEE ASSIGNMENTS - see APPENDIX	
	CONFeree: H 190, H 605, H 929, H 1287	
	EXCUSED ABSENCES	445, 456, 869.
	OATH	9.

FLETCHER, RAY C.

	BILLS INTRODUCED - see APPENDIX	
	COMMITTEE ASSIGNMENTS - see APPENDIX	
	CONFeree: H 54, H 904	
	ESCORT FOR SPEAKER	22.
	EXCUSED ABSENCES	60, 344, 423, 492, 648, 675, 691, 734, 961.
	OATH	9.

FORESTERS

H 1091	LICENSING BOARDS UNDER BUDGET (RE-REF COM ON FINANCE)	399, 506.
--------	--	-----------

FORSYTH COUNTY

- H 624 BURKE/FORSYTH/MCDOWELL DEVELOPMENT
(RATIFIED CH.0496)(S 490) 253, 379, 405, 1003, 1026, 1047.
- H 666 DELAY SEDGE GARDEN ANNEXATION
(REF TO COM ON LOC&RGI) 266.
- H 757 DUNN FACILITY FEES
(RATIFIED CH.0660) 289, 393, 448, 469, 483,
1100, 1114, 1125, 1130, 1137, 1175.
- H 684 ECONOMIC DEVELOPMENT CONSIDERATION
(RATIFIED CH.0659) 274, 493, 534, 1077,
1112, 1123, 1142, 1175.
- H 820 FORSYTH MEALS TAX (REF TO COM ON FINANCE) . 297.
- H 776 W-S/FORSYTH SCHOOL ELECTIONS
(RATIFIED CH.0696) 291, 1101, 1141, 1152,
1183, 1197, 1210.
- H 156 WINSTON-SALEM BEER POSSESSION (Senate) 89, 128, 133.
- S 299 INCORPORATE LEWISVILLE
(RATIFIED CH.0116) 415, 544, 653, 675, 692, 712, 736.
- S 638 LOCAL ECONOMIC DEVELOPMENT
(REF TO COM ON RULES&) 679.

FOSTER, JO GRAHAM

- BILLS INTRODUCED - see APPENDIX
- COMMITTEE ASSIGNMENTS - see APPENDIX
- EXCUSED ABSENCES 103, 648.
- OATH 9.

FRANKLIN COUNTY

- S 553 FRANKLIN ROAD HUNTING
(RATIFIED CH.0108) 550, 710, 720, 729.

FUELS - see GASOLINE & OIL REGULATION**FUNDS - see APPROPRIATIONS (LOCAL OR PUBLIC)****FUSSELL, AARON E.**

- BILLS INTRODUCED - see APPENDIX
- COMMITTEE ASSIGNMENTS - see APPENDIX
- CONFeree: H 1107
- ESCORT FOR SPEAKER 22.
- EXCUSED ABSENCES 284, 304, 314.
- OATH 9.
- OFFERS PRAYER 423.

-G-

GAMBLE, JOHN REEVES, JR.

- BILLS INTRODUCED - see APPENDIX
- COMMITTEE ASSIGNMENTS - see APPENDIX
- CONFeree: H 587, H 601, H 757, H 1073
- ESCORT FOR PREMIER DANIEL 126.
- EXCUSED ABSENCES 186, 474, 492, 509, 1234.
- OATH 9.

GAMBLING - see CRIMINAL LAW**GAMING CONTRACTS**

- H 341 HORSE RACING STUDY-2
(RE-REF COM ON APPROP) 176, 629.

GARDNER, CHARLOTTE A.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

EXCUSED ABSENCES 424, 734, 855, 1020.

OATH 9.

STATEMENT 93.

GASOLINE & OIL REGULATION

H 420 OMNIBUS TECHNICAL AMENDMENTS

(RATIFIED CH.0636) 201, 594, 664, 1002, 1122, 1127, 1147.

H 213 REGULATE SELF-SERVICE GAS PUMPS

(REF TO COM ON COMMERCE) 115.

GASTON COUNTY

H 985 CITY REQUIRE GARBAGE SERVICE-2

(RATIFIED CH.0698) 354, 661, 686, 856,
900, 912, 1204, 1210.

H 782 "ETJ/SATELLITE AREA"

(RATIFIED CH.0289) 292, 525, 554, 799, 834, 849, 860.

H 790 FAISON/BELMONT ZONING JURISDICTION

(RATIFIED CH.0596) 293, 461, 485, 1064, 1087, 1105.

H 789 GASTONIA CHARTER REVISED

(RATIFIED CH.0557) 293, 600, 703, 724, 730, 738,

H 185 MODIFY GASTON OCCUPANCY TAX

(RATIFIED CH.0049) 105, 128, 155, 169, 177, 384.

H 773 MT. HOLLY/STANLEY ETJ (REF TO COM ON RULES&) 291.

S 139 BESSEMER CITY WARDS

(RATIFIED CH.0293) 168, 843, 861, 875.

GENERAL ASSEMBLY

H 639 15% CUT HIGH-PAID EMPLOYEES

(REF TO COM ON APPROP) 262.

H 1312 1991 ADJOURNMENT RESOLUTION

(RATIFIED RES.30) 1142, 1251, 1255, 1256.

S 649 AIR CARGO AIRPORT AUTHORITY

(RATIFIED CH.0749)(H 866) 700, 844, 1162, 1180,
1206, 1221, 1222, 1241, 1243, 1245.

H 866 AIR CARGO AIRPORT AUTHORITY

(REF TO COM ON TRANSPOR)(S 649) 331.

S 72 APPOINTED JUDGES/STATUTE-1

(REF TO COM ON COURTS&) 159.

H 542 CHILD SUPPORT REFORM

(Senate)(S 464) 217, 252, 932, 997, 1188, 1200.

H 875 CORRECTIONS FISCAL NOTES (Senate) . 332, 837, 852, 863.

H 562 COUNCIL ON STATUS OF WOMEN

(RATIFIED CH.0134) 220, 317, 449, 489, 718, 730, 738.

H 1124 ENVIRONMENT TECH. CORRECTIONS

(RATIFIED CH.0342)(S 802) 403, 449, 547, 619, 907.

H 14 GENERAL ASSEMBLY OPEN MEETINGS

(RATIFIED CH.0694) ... 47, 86, 660, 686, 1183, 1199, 1210.

S 189 GOVERNMENTAL OPERATIONS CHAIRS

(RATIFIED CH.0072) 196, 461, 491, 521, 532.

H 341 HORSE RACING STUDY-2

(RE-REF COM ON APPROP) 176, 629.

H 1303 HOUSE REDISTRICTING

(RATIFIED CH.0675) 869, 1133, 1140, 1153, 1194.

H 1311 HOUSE REDISTRICTING-2

(REF TO COM ON LEGIREDI) 1123.

GENERAL ASSEMBLY—Con'd.

S	155	IMPROVE APA RULE-MAKING PROCESS (RATIFIED CH.0418)(H 130) .	678, 799, 875, 914, 925, 984.
H	130	IMPROVE APA RULE-MAKING PROCESS (REF TO COM ON JUDICII)(S 155)	81.
S	722	LEGISLATIVE ETHICS JURISDICTION (REF TO COM ON RULES&)	616.
H	1106	LEGISLATIVE ETHICS JURISDICTION-2 (RATIFIED CH.0700)	401, 559, 619, 1183, 1199, 1211.
H	697	LEGISLATIVE OATH CHANGED (REF TO COM ON RULES&)	276.
H	62	LEGISLATORS FOUR-YEAR TERM (REPTD UNFAV)	65, 526.
H	287	LIMIT SESSION LENGTH-2 (REPTD UNFAV)	157, 526.
H	888	LOBBYING FEES (Senate)(S 701)	334, 426, 1102, 1134, 1156, 1168.
H	89	LOBBYIST REGULATIONS REVISED (RATIFIED CH.0740)	72, 476, 557, 581, 621, 644, 1205, 1220, 1223, 1237.
H	325	LOBBYIST REGULATIONS REVISED-2 (RE- REF COM ON JUDICIII)	167, 646, 671.
H	1113	LOTTERY FOR CAPITAL PROJECTS (REF TO COM ON COURTS&)	402, 865, 913.
S	800	NEW EDUCATION BUILDING SPACE (REF TO COM ON STATGOVT)	532.
S	917	OMNIBUS STUDY BILL-1 (RATIFIED CH.0754)	1233, 1240, 1242, 1243, 1254.
H	420	OMNIBUS TECHNICAL AMENDMENTS (RATIFIED CH.0636)	201, 594, 664, 1002, 1122, 1127, 1147.
S	243	PRESIDENT PRO TEM APPOINTMENTS (RATIFIED CH.0043)	196, 316, 342, 367.
S	801	PRESIDENT PRO TEM APPOINTMENTS (RATIFIED CH.0739)	699, 710, 1150, 1218, 1237.
H	476	PUBLIC HEALTH STUDY-1 (RE-REF COM ON APPROP)(S 367)	208, 252, 650.
S	50	SENATE PRESIDENT APPOINTMENTS-1 (RATIFIED CH.0003)	101, 114, 123, 127.
S	61	SENATE PRESIDENT APPOINTMENTS-2 (REF TO COM ON RULES&)	698, 706.
S	62	SENATE PRESIDENT APPOINTMENTS-3 (RATIFIED CH.0714)	698, 706, 1146, 1218, 1235.
S	17	SENATE REDISTRICTING (RATIFIED CH.0676)	1084, 1176, 1194.
H	44	SPEAKER TERMS LIMIT (REF TO COM ON COURTS&) .	61.
H	274	SPEAKER'S APPOINTMENTS (RATIFIED CH.0756)	151, 1232, 1233, 1254.
H	748	SPEAKER'S APPOINTMENTS-2 (RATIFIED CH.0759)	288, 1247, 1255.
H	1182	STATE AGENCY PROGRAM EVALUATION (REF TO COM ON RULES&)	567.
H	929	TECHNICAL CORRECTIONS (RATIFIED CH.0761)	347, 527, 588, 1234, 1242, 1246, 1253, 1254, 1255.

GENERAL FUNDS - see APPROPRIATIONS**GENERAL STATUTES - also see CRIMINAL PROCEDURE**

H	1081	DRUG OFFENSE, NO HOUSE ARREST (REF TO COM ON JUDICIII)	398.
---	------	---	------

GEOLOGIST LICENSING

H 1091 LICENSING BOARDS UNDER BUDGET
(RE-REF COM ON FINANCE) 399, 506.

GIST, HERMAN C.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFeree: H 757

EXCUSED ABSENCES 144, 424, 734, 742, 781, 787.

OATH 9.

GOTTOVI, KAREN ECKBERG

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFeree: H 605, H 1107, S 828, S 930

ESCORT AND INTRODUCTION OF

PRINCESS OF NORTH CAROLINA AZALEA FESTIVAL 152.

ESCORT FOR SPEAKER 22.

EXCUSED ABSENCES 492.

EXCUSED FROM VOTING: H 220 876.

OATH 9.

GOVERNMENT REORGANIZATION

S 250 EDUCATION GOVERNANCE CHANGES

(REF TO COM ON RULES&) 1077.

S 9 SUP'T CHAIR STATE EDUC. BOARD-1

(Senate) 654, 996, 1208, 1228, 1229, 1239, 1246, 1252.

GRADY, ROBERT

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFeree: H 659, H 1107

ESCORT FOR PRISONERS OF WAR

(OPERATION DESERT STORM) 731.

EXCUSED ABSENCES 42, 344, 1001.

OATH 9.

GRAHAM COUNTY

S 530 REPEAL FOX HUNTING SUNSET

(RATIFIED CH.0483) 531, 545, 935, 999, 1046.

GRANVILLE COUNTY

H 634 OXFORD CONVEY PROPERTY

(RATIFIED CH.0197) 254, 392, 419, 783.

H 603 GRANVILLE HUNTING PERMITS

(RATIFIED CH.0159) 240, 304, 391, 418, 429, 754.

GRAY, LYONS

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

EXCUSED ABSENCES 65, 114, 243, 599, 734, 742, 1123.

OATH 9.

GREEN, JAMES P., SR.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

DELEGATION MEMBER TO ATTEND

SENATOR EZZELL'S FUNERAL 43.

EXCUSED ABSENCES 97, 474, 934, 1001, 1210.

EXCUSED FROM VOTING: H 220 876.

OATH 9.

GREENE COUNTY

H 792 GREENE BLANK

(REF TO COM ON RULES&) 293.

GREENWOOD, GORDON H.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

ESCORT TO SPEAKER PRO TEMPORE 36.

EXCUSED ABSENCES 365, 378, 409, 424, 436,
445, 456, 474, 492, 725, 1210, 1234.

OATH 9.

GRIMMER, HARRY C.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

EXCUSED ABSENCES 60, 64, 65, 67, 124, 127, 198,
222, 243, 284, 344, 365, 492, 599, 715, 823, 833.

OATH 9.

GUARDIAN & WARD

S 393 UNIFORM CUSTODIAL TRUST ACT

(REF TO COM ON JUDICI) 689.

GUESTS

DUKE UNIVERSITY BASKETBALL TEAM HONORED 342.

GODELIEVE ROWOHL--MEMBER OF

EUROPEAN PARLIAMENT REPRESENTING W. GERMANY . 1239.

MISS JUNIOR AMERICA--MISS CHRISTIE LYNN HORN 734.

MR. DAVID PHILLIPS, REPRESENTATIVE OF

HIGH POINT FURNITURE MARKET AND

MR. JIM FOGLEMAN, GREATER GREENSBORO OPEN 241.

PREMIER SIMEON DANIEL, PREMIER AND

MINISTER OF FINANCE, NEVIS, WEST INDIES 126.

PRINCESS OF NORTH CAROLINA

AZALEA FESTIVAL, STACIE DAVIS 152.

PRISONERS OF WAR (OPERATION DESERT STORM) 731.

U.S.A. ALL AMERICAN ACADEMIC STUDENTS--

ASHLEY REITER, N.C. SCHOOL OF SCIENCE & MATH

BOBBY ROSEMBLOUM, DUKE UNIVERSITY

CHERYL CHILDS, BENNETT COLLEGE

MICHAEL SMITH, N.C. A & T STATE UNIVERSITY

NANCY ADAMS, CATAWBA COLLEGE 262.

WHITEVILLE HIGH SCHOOL BASEBALL TEAM,

1991 2-A CHAMPIONS 893.

GUILFORD COUNTY

H 611	ALEXANDER/GUILFORD SCHOOL ELECTIONS (RATIFIED CH.0695)	245, 305, 324, 1093, 1150, 1197, 1210.
H 240	GIBSONVILLE TAX REFUND EXTENDED (RATIFIED CH.0524)	136, 156, 962, 998, 1069.
H 76	GREENSBORO CHARTER AMENDMENTS (RATIFIED CH.0004)	68, 97, 107, 127.
H 157	GREENSBORO FAIR HOUSING (RATIFIED CH.0067)	90, 120, 130, 133, 268, 392, 417, 451, 464.
H 66	GREENSBORO OCCUPANCY TAX (POSTPONED INDEFINITELY)(S 56)	66, 477.
H 762	GREENSBORO/HIGH POINT ROOM TAX (Senate)	290, 345, 373, 384.
H 637	GUILFORD COMM'RS RESTRUCTURED (RATIFIED CH.0136)(S 512)	255, 410, 452, 483, 502, 738.
H 573	GUILFORD SCHOOL REORGANIZATION AMEND (TABLED)(S 457)	225, 314, 315, 381, 393, 436, 468, 501, 553, 681, 706.
H 244	HIGH POINT ELECTIONS (RATIFIED CH.0040)(S 231)	137, 151, 160, 171, 309, 323, 330.
H 609	HIGH POINT OCCUPANCY TAX (REF TO COM ON FINANCE)(S 484)	244.
H 665	INCORPORATE SUMMERFIELD (REF TO COM ON LOC&RGI)	266.
H 657	INCORPORATE WHITSETT (REF TO COM ON LOC&RGI)(S 505)	265.
S 631	GREENSBORO CITY SCHOOL ELECTIONS (RATIFIED CH.0123)	689, 719, 733, 737.
S 101	GREENSBORO MOTOR VEHICLE TAX (RATIFIED CH.0031)	167, 188, 231, 242, 246.
S 56	GREENSBORO OCCUPANCY TAX (RATIFIED CH.0022)(H 66)	167, 174, 185, 196, 199.
S 632	GUILFORD OCCUPANCY TAX (RATIFIED CH.0093)	466, 682, 707, 711.
S 457	GUILFORD SCHOOL REORGANIZATION (RATIFIED CH.0078)(H 573)	468, 481, 499, 551.
S 505	INCORPORATE WHITSETT (RATIFIED CH.0684)(H 657)	1101, 1120, 1134, 1151, 1166, 1194.

-H-

HACKNEY, JOE

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFERE: H 83 (Chairman), H 190, H 734, S 688, S 930

EXCUSED ABSENCES 258, 702, 709, 715, 725, 734, 749.

EXCUSED FROM VOTING: H 501 861.

H 1222 914, 925.

NOMINATION OF REP. DANIEL BLUE, JR. AS SPEAKER 16.

OATH 9.

HALIFAX COUNTY

- H 676 HALIFAX SCHOOL TERMS
(RATIFIED CH.0097)(S 610) 267, 420, 430, 711.
H 652 REGISTER VACANCY MODIFICATION
(RATIFIED CH.0376) 264, 493, 534, 835, 916, 924, 944.

HANDICAPPED

- H 64 SIMPLIFY SPECIAL PLATE STATUTES
(RATIFIED CH.0672)(S 40) ... 66, 150, 180, 745, 749, 760,
774, 1002, 1027, 1040, 1163, 1177, 1178, 1194.
H 982 ZONING WILLIE M. HOMES (REF TO COM ON JUDICI) 354.

HARDAWAY, THOMAS C.

- BILLS INTRODUCED - see APPENDIX
COMMITTEE ASSIGNMENTS - see APPENDIX
CONFEREE: H 54, H 126, S 39, S 649, S 688 (Chairman), S 802
DELEGATION MEMBER TO ATTEND
SENATOR EZZELL'S FUNERAL 43.
ESCORT FOR GOVERNOR 44.
EXCUSED ABSENCES 135, 150, 271, 314, 409,
543, 702, 709, 725, 749, 934, 949.
EXCUSED FROM VOTING: H 78 123.
OATH 9.
SECONDS NOMINATION OF
REP. DANIEL BLUE, JR. AS SPEAKER 20.

HARNETT COUNTY

- H 545 ANGLIER ABC PROFIT AUDITS
(RATIFIED CH.0075) 217, 249, 269, 532.
H 756 DUNN ANNEXATION
(RATIFIED CH.0556) 289, 457, 527, 553, 573, 1091.
H 759 HARNETT SOLID WASTE FEES
(REPTD TO FINANCE) 289, 381, 582.
H 760 HARNETT TOWNS FEES
(RATIFIED CH.0502) . 289, 457, 484, 953, 1001, 1025, 1048.

HASTY, JOHN CALVIN

- BILLS INTRODUCED - see APPENDIX
COMMITTEE ASSIGNMENTS - see APPENDIX
CONFEREE: S 227
EXCUSED ABSENCES 117.
EXCUSED FROM VOTING: H 809 576.
H 869 666.
OATH 9.

HAZARDOUS WASTE - see PUBLIC HEALTH**HEALTH - see PUBLIC HEALTH****HEALTH FACILITIES**

- S 717 "EACH" PROGRAM AUTHORIZATION
(RATIFIED CH.0521) 658, 762, 936, 1059, 1069.
S 816 CERTIFICATE OF NEED TECH. AMENDS
(RATIFIED CH.0692) 658, 959, 1110, 1179, 1186, 1192, 1210.
S 325 CONTESTED CASE HEARINGS CHANGE
(RATIFIED CH.0143) 655, 726, 740, 743.
H 408 FACILITIES PLAN LIMIT CERT. NEED
(RATIFIED CH.0701) 195, 432, 547, 598, 668,
1205, 1220, 1230, 1231, 1239, 1244.

HEALTH FACILITIES—Con'd.

- S 80 HOME CARE LICENSING
(POSTPONED INDEFINITELY)(H 168) 428, 628.
- H 168 HOME CARE LICENSING
(RATIFIED CH.0059)(S 80) ... 91, 114, 362, 389, 415, 439.
- H 588 HOSPITAL MUST ITEMIZE CHARGES
(RATIFIED CH.0310) 228, 253, 631, 680, 888.
- S 336 MEDICAL DATABASE SUNSET
(RATIFIED CH.0480)(H 431) 530, 863, 941, 976, 995, 1046.
- H 431 MEDICAL DATABASE SUNSET
(RE-REF COM ON FINANCE)(S 336) 202, 252, 528.
- S 326 NURSE AID REGISTRY
(RATIFIED CH.0185) 655, 716, 750, 778, 782.
- H 929 TECHNICAL CORRECTIONS
(RATIFIED CH.0761) 347, 527, 588, 1234, 1242,
1246, 1253, 1254, 1255.

HEALTH INSURANCE - see INSURANCE**HEALTH MAINTENANCE - see INSURANCE****HEARING AID BOARD**

- H 566 HEARING AID BOARD CHANGES
(REF TO COM ON STATGOVT) 220.
- H 556 HEARING AID DEALER FEES
(RATIFIED CH.0592) 219, 962, 1013, 1032, 1105.

HEGE, JOE H., JR.

- ANNOUNCES REPUBLICAN CAUCUS LEADERS 41.
- BILLS INTRODUCED - see APPENDIX
- COMMITTEE ASSIGNMENTS - see APPENDIX
- CONFeree: H 904
- OATH 9.

HENDERSON COUNTY

- H 273 HENDERSON OCCUPANCY TAX PENALTY
(RATIFIED CH.0055) 147, 181, 236, 247, 255, 416.
- H 802 LAUREL PARK ASSESSMENTS
(RATIFIED CH.0559) ... 294, 552, 703, 724, 732, 739, 1091.
- S 590 HENDERSONVILLE SIDEWALK ASSESSMENT
(RATIFIED CH.0438) 776, 834, 918, 939, 947, 1006.
- S 530 REPEAL FOX HUNTING SUNSET
(RATIFIED CH.0483) 531, 545, 935, 999, 1046.

HENSLEY, ROBERT JONATHAN, JR.

- BILLS INTRODUCED - see APPENDIX
- COMMITTEE ASSIGNMENTS - see APPENDIX
- CONFeree: S 778, S 828
- NOMINATION OF SAM J. BURROW, JR. FOR READING CLERK . 39.
- OATH 9.
- PRESENTATION ON BEHALF OF
FRESHMEN MEMBERS OF HOUSE 150.

HERTFORD COUNTY

- S 615 WILMINGTON/WINTON CHARTER CHANGES
(RATIFIED CH.0121) 572, 719, 733, 737.

HIGHER EDUCATION

- H 1163 ASU POWER PLANT FINANCING
(RATIFIED CH.0599) 513, 920, 963, 991, 1010, 1105.
- H 107 BOARD OF GOVERNORS ELECTION-H
(ADOPTED) 75, 79, 91, 119.
- H 1059 BOARD OF GOVERNORS ELECTION-H-2
(ASSIGNED TO ED-UNIV&) 370, 491, 496.
- H 1080 CERTAIN UNC ESCHEAT RECEIPTS
(REF TO COM ON APPROP) 397.
- H 923 CLARIFY UNC BOARD NOMINATION
(RATIFIED CH.0436) 346, 411, 425, 455, 888, 957, 969, 985.
- H 148 DROP-OUT PREVENTION
(RATIFIED CH.0307)(S 124) .. 84, 285, 396, 434, 443, 888.
- S 124 DROP-OUT PREVENTION
(REF TO COM ON EDUCATN)(H 148) 653.
- H 490 ECU CAPITAL PROJECT
(RATIFIED CH.0590)(S 466) 210, 920, 951, 970, 988, 1104.
- S 250 EDUCATION GOVERNANCE CHANGES
(REF TO COM ON RULES&) 1077.
- H 2 EDUCATION IMPROVEMENT ACT
(RE-REF COM ON APPROP)(S 199) 42, 284, 704, 713.
- H 151 HIGHER EDUCATION ENCOURAGEMENT
(RE- REF COM ON APPROP)(S 125) 84, 285, 425, 455.
- H 314 NURSING SHORTAGE REMEDIES
(RATIFIED CH.0550)(S 278) 165, 338, 377, 421,
443, 1040, 1068, 1090.
- H 1086 PIEDMONT TRIAD INSTITUTE PROGRAM
(RATIFIED CH.0316) 398, 540, 596, 889.
- H 1071 POSTSEASON SPORTS REVENUE USE
(REF TO COM ON EDUCATN) 383.
- H 1250 PUBLIC SCHOOL ACT OF 1991
(RE-REF COM ON APPROP) 606, 709.
- S 126 REMEDIATION
(RATIFIED CH.0279)(H 149) 653, 834, 851, 859.
- H 993 RESTRUCTURE UNC BOARD OF GOV
(FAILED 2ND READING) 355, 496, 636, 681.
- H 1164 STUDENT AID INFORMATION
(REF TO COM ON RULES&) 513.
- S 9 SUP'T CHAIR STATE EDUC. BOARD-1
(Senate) 654, 996, 1208, 1228, 1229, 1239, 1246, 1252.
- H 77 SUP'T CHAIR STATE EDUC. BOARD-2
(RE- REF COM ON APPROP) 70, 592, 635, 661, 701.
- H 491 UNC CAPITAL PROJECTS
(RATIFIED CH.0657)(S 482) 210, 920, 951, 970, 988,
1100, 1117, 1126, 1146, 1174.
- H 571 UNC FISCAL RESPONSIBILITY
(REF TO COM ON RULES&) 221.
- S 807 UNC GOVERNORS AMENDS-1
(REF TO COM ON RULES&) 679.
- S 822 UNC GOVERNORS AMENDS-2
(RATIFIED CH.0220) 699, 705, 728, 748, 761, 800.
- H 222 UNC HANDICAPPED BARRIERS FUNDS
(RE- REF COM ON APPROP) 122, 273.
- H 387 UNC HEALTH CARE DEBT COLLECTION
(RE- REF COM ON FINANCE) 193, 703.
- H 383 UNC HOSPITALS FINANCE
(ASSIGNED TO FIN-STAT) 192, 858, 919.

HIGHER EDUCATION—Con'd.

H 384	UNC HOSPITALS FINANCE FLEXIBILITY (Senate)	193, 836, 851.
H 921	UNC NONRESIDENT TUITION INCREASE (REF TO COM ON APPROP)	346.
H 131	UNC REPORT ON PUBLIC SERVICE (RATIFIED CH.0346)	81, 579, 637, 887, 908, 923.
H 1230	UNC TUITION COMPUTATION (RE-REF COM ON APPROP)	603, 762.
S 483	UNC-CH EPA PROJECT (RATIFIED CH.0306)(H 489)	789, 837, 842, 845, 862, 877, 888.
H 489	UNC-CH EPA PROJECT (REF TO COM ON APPROP)(S 483)	210.
H 488	WSSU CAPITAL PROJECT (RATIFIED CH.0589)(S 481)	209, 920, 950, 969, 987, 1104.

HIGHTOWER, FOYLE

BILLS INTRODUCED - see APPENDIX	
COMMITTEE ASSIGNMENTS - see APPENDIX	
EXCUSED ABSENCES	424, 702, 934.
EXCUSED FROM VOTING: S 283	1121.
S 447	779, 785.
OATH	9.

HIGHWAYS - see ROADS & HIGHWAYS**HOKE COUNTY**

H 813	HOKE BLANK (REF TO COM ON RULES&)	296.
S 530	REPEAL FOX HUNTING SUNSET (RATIFIED CH.0483)	531, 545, 935, 999, 1046.

HOLIDAYS

H 549	CLARIFY PERSONNEL ACT SCOPE (REF TO COM ON PUBEMP)(S 439)	218.
S 405	KING HOLIDAY COMM'N CREATED (REF TO COM ON RULES&)	1220.
H 58	PEARL HARBOR DAY (RATIFIED CH.0175)	64, 251, 306, 342, 771.
H 1014	RESTORE CHRISTMAS HOLIDAY (RATIFIED CH.0750)(S667)	358, 623, 962, 998, 1036, 1056, 1242, 1245.
S 10	STATE PERSONNEL TECHNICAL AMENDS (RATIFIED CH.0065)(H 110)	75, 366, 407, 421, 464.
H 110	STATE PERSONNEL TECHNICAL AMENDS (REF TO COM ON RULES&)(S 64)	77.
S 624	WINERY SPECIAL EVENTS PERMITS (RATIFIED CH.0267)	572, 766, 795, 807, 847, 848.

HOLMES, GEORGE M.

BILLS INTRODUCED - see APPENDIX	
COMMITTEE ASSIGNMENTS - see APPENDIX	
EXCUSED ABSENCES	139, 144, 150, 155, 1099, 1112.
OATH	9.

HOLT, BERTHA M.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

ESCORT TO SPEAKER PRO TEMPORE 36.

EXCUSED ABSENCES 155, 161, 174.

OATH 9.

HOTEL & RESTAURANT

H 1107 INNKEEPER ALLOW DOGS

(RATIFIED CH.0663) 401, 639, 684, 1004, 1030,
1044, 1088, 1116, 1125, 1131, 1137, 1175.**HOUSE OF REPRESENTATIVES - see GENERAL ASSEMBLY****HOUSE RESOLUTIONS**

H 101 1991 PERMANENT HOUSE RULES (ADOPTED) 74, 299, 309.

H 107 BOARD OF GOVERNORS ELECTION-H

(ADOPTED) 75, 79, 91, 119.

H 1059 BOARD OF GOVERNORS ELECTION-H-2

(ASSIGNED TO ED-UNIV&) 370, 491, 496.

H 1290 EXAMINE STATE BUDGETING PRACTICES

(REF TO COM ON RULES&) 692.

HOUSE RULES - see HOUSE RESOLUTIONS; also see RULES**HOUSING FINANCE**

H 182 HFA HOMELESSNESS PREVENTION

(RATIFIED CH.0582) . 104, 189, 319, 343, 1081, 1093, 1104.

HOWARD, JULIA C.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFeree: H 662

EXCUSED ABSENCES 344, 565.

OATH 9.

REMARKS MEMORIALIZING SENATOR ROBERT S. SWAIN 721.

HUFFMAN, DORIS R.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFeree: H 64

NOMINATES REP. THERESA ESPOSITO

FOR SPEAKER PRO TEMPORE 33.

OATH 9.

HUNT, JACK

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFeree: H 83

EXCUSED ABSENCES 67, 124, 127, 424, 648, 691, 702.

OATH 9.

PRESIDING 473.

HUNT, JUDY FRANCES

BILLS INTRODUCED - see APPENDIX
 COMMITTEE ASSIGNMENTS - see APPENDIX
 EXCUSED ABSENCES 67, 258.
 NOMINATES REP. MARIE W. COLTON
 AS SPEAKER PRO TEMPORE 34.
 OATH 9.

HUNT, R. SAMUEL, III

BILLS INTRODUCED - see APPENDIX
 COMMITTEE ASSIGNMENTS - see APPENDIX
 CONFEREE: H 83, H 281, H 796, S 16
 EXCUSED ABSENCES 97, 139, 174, 186, 198, 235, 284,
 424, 492, 702, 709, 734, 823, 1001, 1020, 1123, 1210, 1234.
 OATH 9.

HUNTER, HOWARD J., JR.

BILLS INTRODUCED - see APPENDIX
 COMMITTEE ASSIGNMENTS - see APPENDIX
 EXCUSED ABSENCES 54.
 EXCUSED FROM VOTING: H 78 123.
 OATH 9.

HUNTER, ROBERT CARL

BILLS INTRODUCED - see APPENDIX
 COMMITTEE ASSIGNMENTS - see APPENDIX
 CONFEREE: H 8, H 601, S 649, S 828
 EXCUSED ABSENCES 107, 111, 135, 181, 198, 235, 327, 810, 821, 842.
 OATH 9.

HUNTING - see CONSERVATION & DEVELOPMENT;
 also see INDIVIDUAL COUNTY

HURLEY, JOHN W.

BILLS INTRODUCED - see APPENDIX
 COMMITTEE ASSIGNMENTS - see APPENDIX
 OATH 9.

HYDE COUNTY

H 783 HYDE LAND TRANSFER TAX
 (REF TO COM ON FINANCE) 292.
 H 784 HYDE OCCUPANCY TAX
 (RATIFIED CH.0230) 292, 477, 501, 515, 801.
 S 530 REPEAL FOX HUNTING SUNSET
 (RATIFIED CH.0483) 531, 545, 935, 999, 1046.

-I-

INDIAN ANTIQUITIES

S 400 ARCHAEOLOGICAL PERMIT CHANGES
 (RATIFIED CH.0461) 467, 855, 884, 958, 972, 1024.
 H 927 ARCHAEOLOGICAL RESOURCES BLANK
 (REF TO COM ON RULES&) 347.

INSTALLMENT SALES

- H 242 CREDIT CARD DEREGULATION
(REPTD UNFAV)(S 174) 136, 238, 583, 625.
- S 34 MOBILE FINANCE CHARGES-1
(RATIFIED CH.0602) 221, 767, 902, 974, 1074, 1114.
- H 129 MOBILE HOME FINANCE CHARGES-2
(REF TO COM ON COMMERCE) 81.
- H 155 REVOLVING CHARGE INTEREST
(REPTD UNFAV)(S 196) 89, 261, 582, 624.

INSTITUTIONAL FUNDS

- H 68 COMMUNITY FOUNDATION ENDOWMENTS
(RATIFIED CH.0039) 66, 111, 116, 319.

INSURANCE

- S 348 AMEND STATE AUDITOR'S DUTIES
(REF TO COM ON STATGOVT) 465.
- H 483 CONTINUING CARE AMENDMENTS
(RATIFIED CH.0196)(S 311) 209, 238, 315, 526,
556, 577, 753, 772, 783.
- H 621 CONTINUING INSURANCE EDUCATION
(RATIFIED CH.0554) . 246, 262, 475, 521, 1041, 1068, 1090.
- H 840 CREDIT ACCIDENT & HEALTH INSUR.
(ASSIGNED TO COM-INSU) 308, 395.
- H 839 CREDIT INSURANCE PREMIUM RATES
(ASSIGNED TO COM-INSU) 308, 395.
- H 34 DEBT COLLECTION PENALTY INCREASED
(RATIFIED CH.0068) . 60, 128, 134, 138, 225, 445, 468, 481.
- S 686 DIRECTORS CONFLICT OF INTEREST
(RATIFIED CH.0172) 481, 723, 745, 763, 770.
- H 902 FARM INSURANCE, RATE BUREAU
(RATIFIED CH.0339) 335, 395, 476, 519,
559, 616, 872, 890, 907.
- H 876 FEE-BASED PASTORS INSURANCE
(REF TO COM ON JUDICII) 332.
- H 29 FIRE PENSION BENEFITS INCREASED
(RE-REF COM ON APPROP)(S 21) 55, 87, 232.
- H 28 FIRE PENSION CONTRIBUTIONS
(RE-REF COM ON PENS&RET)(S 28) 55, 87.
- H 692 FIRE/RESCUE DISABILITY BENEFIT
(RE- REF COM ON APPROP) 275, 853.
- H 320 FIREMEN'S PENSION ELIGIBILITY
(RE-REF COM ON APPROP) 166, 425.
- S 227 FRATERNAL BENEFIT SOCIETIES
(RATIFIED CH.0476) 229, 768, 871, 915,
965, 1008, 1017, 1030.
- H 841 GROUP LIFE INSURANCE
(ASSIGNED TO COM- INSU) 308, 395.
- H 432 HEALTH INSURANCE REFORM BLANK
(REF TO COM ON RULES&)(S 331) 202.
- H 460 HMO AMENDMENTS
(RATIFIED CH.0195) 206, 238, 394, 506, 591, 783.
- H 753 INDEMNIFICATION HOSP.SERV.CORP.
(REPTD UNFAV) 288, 487, 520, 828.
- H 547 INDEMNIFY TAX OFFICIAL
(RATIFIED CH.0674) 218, 305, 341, 1194.

INSURANCE—Con'd.

- H 973 INSURANCE BLANK BILL (REF TO COM ON RULES&) . 353.
 S 338 INSURANCE DEPARTMENT FEES
 (RATIFIED CH.0721)(H 481) . 1078, 1149, 1175, 1205, 1236.
 H 481 INSURANCE DEPARTMENT FEES
 (REF TO COM ON FINANCE)(S 338) 209.
 H 918 INSURANCE EMPLOYEES ACTIVITIES
 (RATIFIED CH.0562) 345, 450, 567, 637,
 661, 1041, 1071, 1074, 1091.
 S 581 INSURANCE GUARANTY ASS'N AMENDS
 (RATIFIED CH.0424) 677, 799, 820, 903, 974, 984.
 H 846 INSURANCE PREMIUM FINANCING
 (Senate) 320, 395, 475, 519, 542.
 S 339 INSURANCE SUBSTANTIVE AMENDS
 (RATIFIED CH.0644)(H 434) 676, 798, 820,
 964, 1120, 1128, 1173.
 H 434 INSURANCE SUBSTANTIVE AMENDS
 (REF TO COM ON COMMERCE)(S 339) 203.
 S 333 INSURANCE TECHNICAL AMENDMENTS
 (RATIFIED CH.0720) 549, 768, 1163, 1218, 1235.
 H 430 INSURANCE TERMINATION CRIMES
 (REF TO COM ON RULES&)(S 332) 202.
 H 351 INSURER SOLVENCY PROGRAM
 (ASSIGNED TO COM-INSU)(S 342) 183, 238.
 S 342 INSURER SOLVENCY PROGRAM
 (RATIFIED CH.0681)(H 351) 676, 798, 820,
 950, 974, 1060, 1154, 1194.
 H 717 LICENSE RENTAL CAR AGENTS
 (RATIFIED CH.0139) 278, 450, 475, 508, 521, 738.
 H 865 LIMITED REPRESENTATIVE LICENSE
 (RATIFIED CH.0398) 331, 450, 511, 561, 922, 938, 946, 954.
 H 347 MAMMOGRAM/PAP SMEAR COVERAGE
 (RATIFIED CH.0490)(S 310) 182, 510, 836,
 864, 1002, 1027, 1047.
 H 433 MULTIPLE EMPLOYER WELFARE
 ARRANGEMENT REGULATION
 (RATIFIED CH.0611)(S 335) 203, 586, 856,
 877, 899, 911, 1076, 1106, 1115.
 H 30 MODIFY FIRE RELIEF FUNDS
 (RE-REF COM ON APPROP)(S 26) 55, 87, 338, 425.
 S 656 MOTOR CLUB FINANCIAL STATEMENT
 (RATIFIED CH.0425) 572, 768, 904, 975, 984.
 H 835 MUTUAL INSURER DISCLOSURE
 (ASSIGNED TO COM-INSU) 308, 395.
 H 615 NO "STACKING" OF
 UNDERINSURED MOTORIST INSURANCE
 (REF TO COM ON COMMERCE)(S 38) 245.
 H 300 NO POINTS FOR CERTAIN SPEEDING
 (RATIFIED CH.0101) 162, 301, 324, 340, 388, 719.
 S 39 NO POINTS FOR FIRST ACCIDENT
 (RATIFIED CH.0713) 338, 768, 871, 957,
 972, 1020, 1227, 1233, 1235.
 H 897 NO REQUIRED REPAIR COMPANIES
 (RATIFIED CH.0386) 335, 395, 567, 637, 922, 939, 945.
 H 788 OPTIONS FOR BOND REQUIREMENTS
 (RATIFIED CH.0212) 293, 395, 475, 519, 790.

INSURANCE—Con'd.

H 27	PAID FIREMEN PENSION BENEFITS (RE-REF COM ON AP ^o ROP)(S 22)	55, 87, 232.
H 853	PHARMACY SERVICES SELECTION (ASSIGNED TO COM-INSU)	321, 395.
H 972	PREFERRED PROVIDER PAYMENTS (POSTPONED INDEFINITELY)	353, 396, 871, 1062, 1122, 1126.
S 652	REDEFINE "CLEAN RISK" (RATIFIED CH.0709)	657, 768, 903, 933, 1015, 1212, 1235.
S 249	ROAD SERVICE FEE LIMIT OFF (RATIFIED CH.0401)	655, 768, 872, 958, 966.
H 1037	SMALL EMPLOYER GROUP HEALTH (RATIFIED CH.0630)(S 797)	361, 630, 794, 816, 827, 1100, 1118, 1129.
H 761	SMALL EMPLOYER GROUP HEALTH INS. (REF TO COM ON COMMERCE)(S 571)	289.
H 929	TECHNICAL CORRECTIONS (RATIFIED CH.0761)	347, 527, 588, 1234, 1242, 1246, 1253, 1254, 1255.
H 482	THIRD PARTY ADMIN. REWRITE (RATIFIED CH.0627)(S 334)	209, 238, 315, 425, 453, 471, 1065, 1088, 1117, 1129.
S 721	VEHICLE EXTENDED WARRANTY ACT (REF TO COM ON RULES&)	1041.
H 725	VOLUNTEER RESCUE/EMS GRANTS (Senate)	279, 396, 475, 508, 837, 852.
H 461	WARRANTY AS INSURANCE CONTRACT (REF TO COM ON JUDICII)	206.

INTEREST

H 53	ASSUMPTION FEE CHANGES (REPTD UNFAV)	63, 261, 582, 624.
H 869	COMMERCIAL LOANS FEES (RATIFIED CH.0506)(S 711)	331, 396, 583, 625, 666, 1003, 1028, 1048.
H 242	CREDIT CARD DEREGULATION (REPTD UNFAV)(S 174)	136, 238, 583, 625.

INVESTMENT ADVISERS

S 245	ENHANCE SECURITIES ENFORCEMENT (RATIFIED CH.0456)(H 535)	268, 885, 974, 1023.
H 535	ENHANCE SECURITIES ENFORCEMENT (REF TO COM ON JUDICIII)(S 245)	216.

IREDELL COUNTY

H 782	"ETJ/SATELLITE AREA" (RATIFIED CH.0289)	292, 525, 554, 799, 834, 849, 860.
H 670	ANNEX MECK NECK TO IREDELL (REF TO COM ON LOC&RGII)	267.
H 985	CITY REQUIRE GARBAGE SERVICE-2 (RATIFIED CH.0698)	354, 661, 686, 856, 900, 912, 1204, 1210.
H 684	ECONOMIC DEVELOPMENT CONSIDERATION (RATIFIED CH.0659)	274, 493, 534, 1077, 1112, 1123, 1142, 1175.
H 625	IREDELL DISPOSAL FEES (REPTD TO FINANCE)	253, 283, 582.

IREDELL COUNTY—Con'd.

- H 587 LOCAL JET SKI REGULATIONS
(RATIFIED CH.0494) 228, 249, 281, 300,
872, 919, 952, 1036, 1037, 1047.
- H 543 MORRESVILLE SCHOOL BOUNDARIES
(REF TO COM ON LOC&RGII) 217.
- S 585 DURHAM ASSESSMENTS/LOCAL ROOM TAXES
(RATIFIED CH.0577) 467, 710, 963, 1034, 1051, 1103.
- S 537 STATESVILLE ABC PROFITS
(RATIFIED CH.0244) 550, 751, 773, 815, 826.

ISENHOWER, W. STINE

- BILLS INTRODUCED - see APPENDIX
COMMITTEE ASSIGNMENTS - see APPENDIX
CONFEREE: S 39
EXCUSED ABSENCES 775, 1099, 1112, 1123, 1142.
OATH 9.

-J-

JACKSON COUNTY

- S 592 JACKSON COUNTY SCHOOL ELECTIONS
(RATIFIED CH.0170) 657, 742, 756, 770.

JAMES, VERNON G.

- BILLS INTRODUCED - see APPENDIX
COMMITTEE ASSIGNMENTS - see APPENDIX
EXCUSED ABSENCES 135, 1084.
OATH 9.

JARRELL, MARY LONG

- BILLS INTRODUCED - see APPENDIX
COMMITTEE ASSIGNMENTS - see APPENDIX
OATH 9.

JEFFUS, MARGARET MOORE

- BILLS INTRODUCED - see APPENDIX
COMMITTEE ASSIGNMENTS - see APPENDIX
EXCUSED ABSENCES 174, 691.
OATH 9.

JERALDS, LUTHER R.

- BILLS INTRODUCED - see APPENDIX
COMMITTEE ASSIGNMENTS - see APPENDIX
CONFEREE: H 83, H 408, H 929, H 996, S 816
ESCORT FOR SPEAKER 22.
EXCUSED ABSENCES 258, 742.
OATH 9.

JOHNSTON COUNTY

- H 684 ECONOMIC DEVELOPMENT CONSIDERATION
(RATIFIED CH.0659) 274, 493, 534, 1077,
1112, 1123, 1142, 1175.
- S 538 JOHNSTON SCHOOL BOARD
(RATIFIED CH.0218) 694, 751, 773, 800.
- S 638 LOCAL ECONOMIC DEVELOPMENT
(REF TO COM ON RULES&) 679.

JOHNSTON COUNTY—Con'd.

- S 530 REPEAL FOX HUNTING SUNSET
(RATIFIED CH.0483) 531, 545, 935, 999, 1046.
- S 479 SMITHFIELD ANNEX COUNTRY CLUB
(RATIFIED CH.0323) 415, 751, 857, 878, 891, 906.

JOINT ELECTRICITY

- H 1018 JOINT POWER AGENCY FINANCING
(RATIFIED CH.0513) 359, 512, 856, 902, 1049.
- H 967 UNIVERSITY JOIN MUNICIPAL AGENCY
(RATIFIED CH.0291) 352, 650, 685, 860.

JOINT RESOLUTIONS

- H 1312 1991 ADJOURNMENT RESOLUTION
(RATIFIED RES.30) 1142, 1251, 1255, 1256.
- H 948 ADJOURN SINE DIE JUNE 28
(REF TO COM ON RULES&) 350.
- H 1308 CALDWELL SESQUICENTENNIAL
(RATIFIED RES.26) 1062, 1163, 1195.
- S 153 COMMEMORATE GURNEY HOOD
(RATIFIED RES. 16) 133, 725, 747, 754.
- S 593 COMMUNITY COLLEGE BOARD ELECTION
(POSTPONED INDEFINITELY)(H 743) 464, 630, 669.
- H 1213 CONFIRM UTILITIES COMM'N APP'T
(REF TO COM ON PUBUTILS)(H1190) 601.
- S 899 CONFIRM UTILITIES COMM'N APP'T
(RATIFIED RES.17)(H1190) 409, 763, 765, 793, 801.
- H 1190 CONFIRM UTILITIES COMM'N APP'T.
(REF TO COM ON PUBUTILS) (H1213) 569.
- S 118 CONFIRM WILLIAM T. GRAHAM-1
(RATIFIED RES.08)(H 162) 100, 151, 172, 196.
- H 162 CONFIRM WILLIAM T. GRAHAM-2
(POSTPONED INDEFINITELY)(S 118) 90, 458.
- H 288 CONGRESS INCREASES UNEMPLOYMENT FUNDS
(REF TO COM ON RULES&)(S 226) 158.
- H 1296 CONTINUE ANTITRUST EXEMPT FOR INSUR
(REF TO COM ON RULES&) 705.
- H 7 CONTINUE REVENUE LAW STUDY
(RE-REF COM ON APPROP) 46, 85.
- H 696 FINANCIAL INSTITUTIONS STUDY
(REF TO COM ON RULES&) 275.
- S 876 HEALTH CARE ACCESS CONFERENCE
(REF TO COM ON RULES&) 776.
- H 1293 HEALTH CARE CONFERENCE
(REF TO COM ON RULES&) 704.
- H 1314 HONOR CABARRUS BICENTENNIAL
(ADOPTED) 1176, 1190, 1197.
- S 958 HONOR CLYDE ALLISON SHREVE, SR
(RATIFIED RES.18)(H1297) 831, 836.
- S 949 HONOR COMM'RS ON UNIFORM STATE LAWS
(RATIFIED RES.28) 832, 1190, 1218, 1238.
- S 953 HONOR DESERT STORM POWS
(REF TO COM ON RULES&)(H1294) 736.
- H 1294 HONOR DESERT STORM POWS
(Senate)(S 953) 704, 716, 731.
- H 212 HONOR FOUNDERS OF NC A&T
(POSTPONED INDEFINITELY)(S 208) 115, 120, 126.

JOINT RESOLUTIONS—Con'd.

S 208	HONOR FOUNDERS OF NC A&T (RATIFIED RES.05)(H 212)	121, 127.
H 202	HONOR HUGH CALE AND ECSU (RATIFIED RES.04)	103, 111.
S 966	HONOR RALEIGH BICENTENNIAL (RATIFIED RES.27)(H1313)	1178, 1190, 1201, 1211.
H 1313	HONOR RALEIGH BICENTENNIAL (RE-REF COM ON RULES&)(S 966)	1165, 1192, 1200, 1211.
H 1165	HONORING CABARRUS BICENTENNIAL (REF TO COM ON RULES&)	514.
H 65	HONORING CAMPBELL FOLK SCHOOL (Senate)	66, 558, 598.
S 646	HONORING DUKE, NCAA CHAMPS (RATIFIED RES.10)(H 914)	362, 367.
H 914	HONORING DUKE, NCAA CHAMPS (Senate)(S 646)	326, 329, 343.
S 960	HONORING HIGHLAND GAMES (REF TO COM ON RULES&)	921.
H 1305	HONORING HIGHLAND GAMES-2 (RATIFIED RES.24) ..	1020, 1042, 1078, 1126, 1131, 1148.
H 1306	INSURANCE ANTITRUST EXEMPTION (REF TO COM ON RULES&)	1018.
H 171	INVITATION TO CHIEF JUSTICE (POSTPONED INDEFINITELY)(S 187)	91, 96.
S 187	INVITATION TO CHIEF JUSTICE (RATIFIED RES.03)(H 171)	92, 96, 97, 101.
S 1	INVITING GOVERNOR (RATIFIED RES.01)	40, 42, 43.
S 95	JOINT CONFIRMATION SESSIONS (REF TO COM ON RULES&)	100.
H 167	LEGISLATURE MEET AT ECSU (POSTPONED INDEFINITELY)	85, 458.
H 164	LRC CONTINUE HOMELESS STUDY (REF TO COM ON RULES&)	90.
H 1295	LRC STUDY ANNEXATION LAW (REF TO COM ON RULES&)	704.
H 1051	LRC STUDY CARDIAC CARE (REF TO COM ON RULES&)	369.
H 284	LRC STUDY CONSUMER PROTECTION (REF TO COM ON RULES&)	157.
H 732	LRC STUDY CROP DEPREDAATION (REF TO COM ON RULES&)	280.
H 1083	LRC STUDY DOWNTOWNS (REF TO COM ON RULES&)	398.
H 917	LRC STUDY EMPLOYMENT AGENCIES (REF TO COM ON RULES&)	337.
H 1211	LRC STUDY FIRE FIGHTERS PENSION (REF TO COM ON RULES&)	601.
H 731	LRC STUDY GOVERNOR'S POWERS (REF TO COM ON RULES&)	280.
H 1130	LRC STUDY LAW OFFICER RIGHTS (REF TO COM ON RULES&)	414.
H 1052	LRC STUDY LONG TERM CARE (REF TO COM ON RULES&)	370.
H 1289	LRC STUDY PESTICIDE APPLICATION (REF TO COM ON RULES&)	692.
H 867	LRC STUDY PRISON INMATE USE (REF TO COM ON RULES&)	331.

JOINT RESOLUTIONS—Con'd.

H 700	LRC STUDY PUBLIC TRANSPORTATION (REF TO COM ON RULES&)	276.
H 1226	LRC STUDY RAILROADS (REF TO COM ON RULES&)(S 906)	603.
H 127	LRC STUDY SURFACE WATER (REF TO COM ON RULES&)(S 85)	81.
H 286	MEMORIALIZE CHARLES RAPER JONAS (RATIFIED RES.14)	157, 662, 701, 707, 720.
H 1297	MEMORIALIZE CLYDE ALLISON SHREVE, SR (RE-REF COM ON RULES&)(S 958)	781, 820, 832.
S 236	MEMORIALIZE JAMES E. EZZELL JR (RATIFIED RES.09)	173, 198, 222, 226.
S 121	MEMORIALIZE JUDGE SANDY HARRIS (RATIFIED RES.06)	126, 131.
S 572	MEMORIALIZE RALPH H. SCOTT (REF TO COM ON RULES&)	415.
S 194	MEMORIALIZE ROBERT SWAIN (RATIFIED RES.15)	710, 723, 730.
H 266	MEMORIALIZE THOMAS J. WHITE, JR (RATIFIED RES.07)(S 228)	142, 147.
S 962	MEMORIALIZING ANGELINE D. SMITH (RATIFIED RES.20)(H1307)	1057, 1070.
H 1307	MEMORIALIZING ANGELINE D. SMITH (REF TO COM ON RULES&)(S 962)	1020.
S 957	MEMORIALIZING CARL W. RULLMAN, SR (RATIFIED RES.22)(H1300)	1105, 1116.
H 1300	MEMORIALIZING CARL W. RULLMAN, SR. (POSTPONED INDEFINITELY)(S 957)	824, 966, 1000, 1036, 1121.
S 956	MEMORIALIZING J. REID POOVEY, SR (REF TO COM ON RULES&) (H1299)	952.
H 1299	MEMORIALIZING J. REID POOVEY, SR. (RATIFIED RES.19)(S 956)	824, 936, 945, 1007.
S 964	MEMORIALIZING KITCHEN JOSEY (RATIFIED RES.25)	1149, 1175.
H 1302	MEMORIALIZING SIPPIO BURTON, JR (RATIFIED RES.23)	859, 1031, 1059, 1114, 1129.
H 919	MEMORIALIZING W. F. YARBOROUGH, SR (RATIFIED RES.13)(S 739)	346, 558, 640, 659.
S 739	MEMORIALIZING W.F.YARBOROUGH, SR. (REF TO COM ON RULES&)(H 919)	654.
H 121	MEREDITH COLLEGE CENTENNIAL (RATIFIED RES.29)(S 92)	80, 94, 1245.
S 92	MEREDITH COLLEGE CENTENNIAL (REF TO COM ON RULES&)(H 121)	100.
H 1292	MINORITY TOURISM PROPOSAL (REF TO COM ON RULES&)	692.
H 1291	NAME SWAIN TREATMENT CENTER (RATIFIED RES.21)	692, 776, 796, 1092.
S 947	RECOGNIZE NC COMMUNITY COLLEGES (REF TO COM ON RULES&)	678.
H 695	STATE BOARD OF EDUC. APP'TS (RATIFIED RES.11)	275, 411, 437, 456, 514.
H 1164	STUDENT AID INFORMATION (REF TO COM ON RULES&)	513.

JOINT RESOLUTIONS—Con'd.

H 857	STUDY FOREST RESOURCES TRANSFER (REF TO COM ON RULES&)	321.
H 1095	STUDY HAZARDOUS WASTE DISPOSAL (REF TO COM ON RULES&)	399.
H 1280	STUDY HEALTH DIVISIONS TRANSFER (REF TO COM ON RULES&)	610.
H 856	STUDY SOIL/WATER DIV'N TRANSFER (REF TO COM ON RULES&)	321.
S 4	SUPPORT MILITARY TROOPS-1 (REF TO COM ON RULES&)	43.
H 1	SUPPORT MILITARY TROOPS-2 (RATIFIED RES.02)	41, 53.
H 394	URGE WELFARE REFORM CONTINUANCE (REF TO COM ON RULES&)	194.

JOINT SESSIONS

CHIEF JUSTICE EXUM'S ADDRESS	102.
GOVERNOR'S ADDRESS	44.

JONES COUNTY

H 348	JONES ROAD HUNTING (RATIFIED CH.0146)	183, 223, 233, 242, 743.
S 530	REPEAL FOX HUNTING SUNSET (RATIFIED CH.0483)	531, 545, 935, 999, 1046.

JONES, WALTER B., JR.

BILLS INTRODUCED - see APPENDIX	
COMMITTEE ASSIGNMENTS - see APPENDIX	
CONFEREE: H 89	
EXCUSED ABSENCES	65, 75, 78, 139, 715, 934.
OATH	9.

JORDAN, LARRY MACK

BILLS INTRODUCED - see APPENDIX	
COMMITTEE ASSIGNMENTS - see APPENDIX	
CONFEREE: S 778	
EXCUSED FROM VOTING: S 110	340, 363.
S 283	1121.
S 447	779, 785.
H 1222	914, 925.
NOMINATION OF GRACE A. COLLINS FOR PRINCIPAL CLERK	38.
OATH	9.

JUDGES - see JUDICIAL DEPARTMENT**JUDICIAL DEPARTMENT**

S 348	AMEND STATE AUDITOR'S DUTIES (REF TO COM ON STATGOVT)	465.
H 103	APPOINTED JUDGES/STATUTE-2 (REF TO COM ON COURTS&)	76.
S 72	APPOINTED JUDGES/STATUTE-1 (REF TO COM ON COURTS&)	159.
H 416	CHILD DAY CARE LAW CHANGES (RATIFIED CH.0273)	200, 251, 593, 670, 821, 825, 837, 848.
H 540	CHILD NEGLECT DRUG EXPOSURE (RE-REF COM ON APPROP)	217, 566.

JUDICIAL DEPARTMENT—Con'd.

H 1072	CHILD TESTIMONY BY TV-1 (Senate)(S 783)	383, 662, 690.
H 1076	CHILD TESTIMONY BY TV-2 (REF TO COM ON JUDICI)	383.
H 949	CHILD WITNESS PRIVACY (REF TO COM ON JUDICI)	350.
H 522	CONTEMPT FOR PARENT OF JUVENILE (REPTD UNFAV)	214, 526.
H 1197	DIVIDE DISTRICT COURT 3 (RE-REF COM ON APPROP)(S 880)	570, 765.
H 440	DSS REPRESENTATIVES (RATIFIED CH.0258)	204, 252, 578, 643, 810, 824, 836.
H 413	INCREASE FINES FOR LITTERING (RATIFIED CH.0609)(S 409)	200, 223, 259, 344, 389, 1085, 1106, 1115.
H 690	INDIGENT COUNSEL REGULATIONS (RATIFIED CH.0304)	275, 445, 488, 876.
S 424	INDIGENTS REPRESENTATION (RATIFIED CH.0575)	269, 933, 1057, 1103.
S 680	JUDGE/JUSTICE AGE LIMIT (REPTD UNFAV)	618, 765, 786, 796, 841, 1039.
H 1309	JUDICIAL DISTRICT BOUNDARIES (RATIFIED CH.0746)	1084, 1133, 1191, 1233, 1238.
H 1117	JUVENILE CAPITAL OFFENSE CHANGE (Senate)	402, 540, 590.
H 605	JUVENILE COMMITMENT PROCEDURE (RATIFIED CH.0434)	240, 545, 596, 937, 946, 960, 977, 980, 985.
H 1119	JUVENILE INTERMITTENT COMMITMENT (RATIFIED CH.0353)	403, 510, 560, 923.
H 1118	JUVENILE RELEASE CHANGE (RATIFIED CH.0352)	402, 510, 560, 923.
H 1116	JUVENILE SUPERVISION CHANGE (RE-REF COM ON APPROP)	402, 510.
S 765	LEGAL AID SERVICES FUND LIMIT (REF TO COM ON JUDICI)	618.
H 1050	MAGISTRATES' LONGEVITY (REF TO COM ON PUBEMP)	369.
S 791	MEDIATED SETTLEMENT CONFERENCES (RATIFIED CH.0207)	532, 765, 786, 790.
H 1287	OMNIBUS COURTS BILL (RATIFIED CH.0742)(S 944)	611, 935, 951, 971, 989, 1195, 1200, 1216, 1224, 1237.
H 192	PARENTAL RIGHTS TERMINATION (Senate)	106, 235, 248, 256.
S 130	PARK OFFENSES WAIVABLE (RATIFIED CH.0151)	168, 725, 740, 748, 753.
H 597	SBI DAY CARE ABUSE TASK FORCE (RATIFIED CH.0593)	239, 539, 595, 1077, 1089, 1105.
H 925	TECHNICAL CORRECTIONS (RATIFIED CH.0761)	347, 527, 588, 1234, 1242, 1246, 1253, 1254, 1255.
S 465	TRANSFER COMMUNITY PENALTIES (RATIFIED CH.0566)(H 576)	415, 937, 1019, 1025, 1055, 1091.

JUDICIAL DEPARTMENT—Con'd.

- H 576 TRANSFER COMMUNITY PENALTIES
(REF TO COM ON COURTS&)(S 465) 225.
- S 181 UNDISCIPLINED JUVENILE
(RE-REF COM ON APPROP) 688, 951.
- H 945 UNIFORM JAIL FEES (REPTD TO FINANCE) . 349, 703, 917.
- S 664 WORTHLESS CHECK JURISDICTION
(RATIFIED CH.0520) 618, 918, 1057, 1069.

JURORS

- S 655 JURY EXPENSE CLARIFICATION
(RATIFIED CH.0729) 572, 1143, 1217, 1236.

JUSTICE DEPARTMENT

- H 980 EMPLOYERS CHECK CRIMINAL HISTORY
(RE- REF COM ON FINANCE) 354, 487, 503.
- H 1114 HIGHWAY PATROL INVESTIGATIONS
(REF TO COM ON JUDICII) 402.
- S 451 IMPROVE ENVIRONMENTAL ENFORCEMENT
(RATIFIED CH.0725) 694, 766, 1136, 1216, 1236.
- H 1113 LOTTERY FOR CAPITAL PROJECTS
(REF TO COM ON COURTS&) 402, 865, 913.
- H 597 SBI DAY CARE ABUSE TASK FORCE
(RATIFIED CH.0593) 239, 539, 595, 1077, 1089, 1105.
- H 979 SBI INVESTIGATE MISCONDUCT
(RE-REF COM ON JUDICIII) 354, 672, 712.
- S 766 SCHOOL EMPLOYEE CRIMINAL RECORD
(RATIFIED CH.0705)(H1104) ... 700, 763, 981, 1207, 1211.
- H 1104 SCHOOL EMPLOYEE CRIMINAL RECORD
(RE- REF COM ON FINANCE)(S 766) 401, 639.

JUSTUS, LARRY T.

- BILLS INTRODUCED - see APPENDIX
- COMMITTEE ASSIGNMENTS - see APPENDIX
- EXCUSED ABSENCES 73, 445, 787, 1084.
- OATH 9.

-K-

KAHL, JOHN WAYNE

- BILLS INTRODUCED - see APPENDIX
- COMMITTEE ASSIGNMENTS - see APPENDIX
- EXCUSED ABSENCES 186, 198, 456, 734, 934.
- OATH 9.

KENNEDY, ANNIE BROWN

- BILLS INTRODUCED - see APPENDIX
- COMMITTEE ASSIGNMENTS - see APPENDIX
- CONFeree: H 929
- ESCORT FOR PREMIER DANIEL 126.
- EXCUSED ABSENCES 327, 715, 725, 855, 869, 941, 1020.
- OATH 9.

KERR, JOHN HOSEA III

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFEREE: H 64, H 904, S 778, S 828

ESCORT FOR PRISONERS OF WAR

(OPERATION DESERT STORM) 731.

EXCUSED ABSENCES 474, 492, 509, 524, 543.

OATH 9.

KIMSEY, MARTY E.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

EXCUSED ABSENCES 67, 69, 161, 424.

NOMINATION OF REP. JOHNATHAN RHYNE AS SPEAKER 13.

OATH 9.

-L-

LABOR DEPARTMENT

H 1121 AMUSEMENT DEVICE FEES

(RATIFIED CH.0475) 403, 460, 502, 516, 1025.

H 478 AMUSEMENT DEVICES

(RATIFIED CH.0178) 208, 224, 389, 422, 455, 771.

H 453 CLARIFY LABOR LAW

(RATIFIED CH.0330) 205, 328, 364, 872, 890, 906.

H 455 CONFORM WAGE AND HOUR LAW

(RATIFIED CH.0492) 205, 224, 397, 485,
523, 537, 1002, 1027, 1047.

S 723 CONTROLLED SUBSTANCE EXAMS

(RATIFIED CH.0687) 499, 957, 1110, 1119, 1195.

H 519 EMPLOYMENT AGENCY CHARGES

(Senate) 214, 224, 622, 626, 668.

H 426 EMPLOYMENT TERMS IN WRITING

(REF TO COM ON JUDICIII) 202.

H 894 GOV'T CONFER WITH LABOR ORG.

(ASSIGNED TO ECO-LBR&) 334, 380.

S 155 IMPROVE APA RULE-MAKING PROCESS

(RATIFIED CH.0418)(H 130) . 678, 799, 875, 914, 925, 984.

H 130 IMPROVE APA RULE-MAKING PROCESS

(REF TO COM ON JUDICII)(S 155) 81.

H 628 LIMIT STUDENT WORK HOURS

(Senate) 254, 270, 317, 641, 670, 672, 712, 721, 733.

H 381 OSHA CHANGES

(RATIFIED CH.0329) 192, 474, 518, 872, 890, 906.

H 474 OSHA PENALTIES (Senate) 208, 445, 486.

H 1264 OSHA TRAINING FUNDS (REF TO COM ON APPROP) . 608.

H 930 PARENTAL LEAVE ACT

(RE-REF COM ON APPROP) 347, 662, 687, 708.

H 5 RAISE MINIMUM WAGE

(RATIFIED CH.0270) 46, 85, 162, 367, 437,
474, 507, 521, 848.

H 345 RAISE MINIMUM WAGE-2

(POSTPONED INDEFINITELY) 182, 966.

H 995 REGULATE CERTAIN EMPLOYMENT AGENCIES

(POSTPONED INDEFINITELY) 356, 381, 752, 844.

LABOR DEPARTMENT—Con'd.

- H 929 TECHNICAL CORRECTIONS
(RATIFIED CH.0761) 347, 527, 588, 1234, 1242,
1246, 1253, 1254, 1255.
- H 456 WAGE AND HOUR ACT ATT'Y FEES
(RATIFIED CH.0298) 206, 328, 365, 876.

LAND REGISTRATION

- S 348 AMEND STATE AUDITOR'S DUTIES
(REF TO COM ON STATGOVT) 465.

LANDFILLS - see PUBLIC HEALTH**LANDLORD & TENANT**

- H 1012 CLARIFY LANDLORD/TENANT LAW
(RE-REF COM ON JUDICI) .. 358, 396, 596, 659, 667, 708.
- H 951 NOTICE OF INTENT TO EJECT
(RATIFIED CH.0166) 350, 432, 579, 640, 736, 745, 754.
- H 1011 VOID UNNECESSARY EVICTIONS
(REPTD TO COMMERCE) 358, 396, 595.

LANDSCAPE CONTRACTOR

- H 1146 LANDSCAPE CONTR. EXAM FEE
(RATIFIED CH.0180) 479, 586, 615, 634, 771.

LAWYERS - see ATTORNEYS**LENOIR COUNTY**

- H 583 KINSTON-LENOIR TOURISM AUTHORITY
(RATIFIED CH.0076) 228, 249, 270, 533.
- S 530 REPEAL FOX HUNTING SUNSET
(RATIFIED CH.0483) 531, 545, 935, 999, 1046.

LEWIS, WILLIAM W.

- BILLS INTRODUCED - see APPENDIX
- COMMITTEE ASSIGNMENTS - see APPENDIX
- DELEGATION MEMBER TO ATTEND SENATOR EZZELL'S
FUNERAL 43.
- EXCUSED ABSENCES 543.
- OATH 9.

LIBRARIES

- H 1216 NC FOREIGN LANGUAGE CENTER
(REF TO COM ON APPROP) 602.
- H 420 OMNIBUS TECHNICAL AMENDMENTS
(RATIFIED CH.0636) 201, 594, 664, 1002, 1122, 1127, 1147.
- H 186 STATE DOCUMENTS, ALKALINE PAPER
(RATIFIED CH.0224) 105, 250, 426, 444, 801.

LICENSE PLATES - see MOTOR VEHICLES**LICENSING BOARDS**

- H 1091 LICENSING BOARDS UNDER BUDGET
(RE-REF COM ON FINANCE) 399, 506.
- S 427 MILITARY OCCUPATIONAL LICENSE
(RATIFIED CH.0362) 298, 767, 845, 928, 943.
- S 790 OCCUPATIONAL BOARD MEMBER PAY
(REF TO COM ON RULES&) 1246.
- S 385 STATE EXAMINATIONS SECURE
(RATIFIED CH.0360) 309, 767, 820, 855, 929, 943.

LIENS

- H 728 LIENS FOR RESCUE SQUAD SERVICES
(RATIFIED CH.0595) 280, 511, 562, 1105.

LIGON, BRADFORD V.

- BILLS INTRODUCED - see APPENDIX
COMMITTEE ASSIGNMENTS - see APPENDIX
EXCUSED ABSENCES 150, 327.
OATH 9.

LILLEY, DANIEL T.

- BILLS INTRODUCED - see APPENDIX
COMMITTEE ASSIGNMENTS - see APPENDIX
CONFEREE: H 8, S 108
ESCORT FOR PRISONERS OF WAR
(OPERATION DESERT STORM) 731.
EXCUSED ABSENCES 424.
OATH 9.
OFFERS PRAYER 715.
PRESENTS PROCLAMATION HONORING THE
200TH ANNIVERSARY OF LENOIR COUNTY 416.

LINCOLN COUNTY

- H 985 CITY REQUIRE GARBAGE SERVICE-2
(RATIFIED CH.0698) 354, 661, 686, 856,
900, 912, 1204, 1210.
H 356 LINCOLN/CATAWBA GEOGRAPHY RECORDS
(RATIFIED CH.0285) 184, 223, 233, 788, 833, 849, 860.
H 112 LINCOLN/EDGECOMBE DEED REGISTER
(RATIFIED CH.0014) 77, 94, 101, 106, 168.
H 138 LINCOLN/EDGECOMBE SHERIFF VACANCY
(RATIFIED CH.0015) 82, 94, 103, 106, 168.
H 602 LINCOLN/MACON COMMISSIONER VACANCY
(RATIFIED CH.0395) 240, 379, 408, 455, 490, 954.
H 587 LOCAL JET SKI REGULATIONS
(RATIFIED CH.0494) 228, 249, 281, 300,
872, 919, 952, 1036, 1037, 1047.

LINEBERRY, ALBERT S., SR.

- BILLS INTRODUCED - see APPENDIX
COMMITTEE ASSIGNMENTS - see APPENDIX
EXCUSED ABSENCES 543, 565, 599.
OATH 9.
OFFERS PRAYER 725.
PRESENTS PROCLAMATION RECOGNIZING
FOUNDING OF UNC-GREENSBORO 69.
REMARKS MEMORIALIZING SENATOR ROBERT S. SWAIN ... 1576.

LOCAL APPROPRIATIONS - see APPROPRIATIONS, LOCAL**LOCAL DEVELOPMENT**

- S 452 DEVELOPMENT FINANCING BONDS
(REF TO COM ON RULES&) 1113.
H 1039 NATURAL GAS EXPANSION/COST
(RATIFIED CH.0598) 368, 863, 869, 900,
912, 1077, 1089, 1105.

LOCAL GOVERNMENT FINANCE

S	452	DEVELOPMENT FINANCING BONDS (REF TO COM ON RULES&)	1113.
H	965	LOCAL REVENUE BOND CHANGES (RATIFIED CH.0508)	352, 427, 453, 472, 1048.
H	50	PROPERTY TAX TECHNICAL CHANGES (RATIFIED CH.0011)	62, 79, 93, 152.
H	1016	REVENUE BONDS FOR GAS SYSTEMS (RATIFIED CH.0511)	358, 866, 918, 940, 948, 1049.
H	929	TECHNICAL CORRECTIONS (RATIFIED CH.0761)	347, 527, 588, 1234, 1242, 1246, 1253, 1254, 1255.
H	80	TRANSIT AUTHORITY TAX (RATIFIED CH.0666)(S 99)	71, 460, 526, 556, 576, 1113, 1127, 1148, 1165, 1193.

LOFLIN, H. CLAYTON

BILLS INTRODUCED - see APPENDIX			
COMMITTEE ASSIGNMENTS - see APPENDIX			
		EXCUSED ABSENCES	715, 842.
		OATH	9.

LOTTERY - see STATE LOTTERY**LOW-LEVEL RADIOACTIVE WASTES**

H	507	LOW-LEVEL RAD. WASTE AMENDS (ASSIGNED TO ENV-HAZA)(S 418)	212, 224.
H	643	LOW-LEVEL WASTE FACILITY SITE (REF TO COM ON PUBUTILS)(S 514)	263.
H	644	WASTE COMPACT THIRD HOST STATE (FAILED 2ND READING)(S 513)	263, 272, 512, 562, 616, 666.

LUEBKE, PAUL

BILLS INTRODUCED - see APPENDIX			
COMMITTEE ASSIGNMENTS - see APPENDIX			
		EXCUSED ABSENCES	78, 509, 787.
		EXCUSED FROM VOTING: H 264	153.
		UNC BOARD OF GOVERNORS	118.
		OATH	9.

LUTZ, EDITH L.

BILLS INTRODUCED - see APPENDIX			
COMMITTEE ASSIGNMENTS - see APPENDIX			
		EXCUSED ABSENCES	93, 97, 103, 107, 111, 114, 117, 155, 186, 235, 424, 436, 787.
		OATH	9.

-M-

MACON COUNTY

H	602	LINCOLN/MACON COMMISSIONER VACANCY (RATIFIED CH.0395)	240, 379, 408, 455, 490, 954.
S	564	HIGHLANDS CHARTER REVISED (RATIFIED CH.0519)	769, 932, 950, 983, 1009, 1032, 1049, 1069.
S	530	REPEAL FOX HUNTING SUNSET (RATIFIED CH.0483)	531, 545, 935, 999, 1046.

MADISON COUNTY

- H 689 MADISON COUNTY SCHOOL ELECTIONS
(RATIFIED CH.0249) 274, 410, 441, 451, 799, 813, 826.
- H 811 MADISON TAX COLLECTOR TERM
(RATIFIED CH.0251) 296, 447, 471, 826.

MAJORITY LEADER - see WICKER, DENNIS A.

MAJORITY WHIP - see FITCH, MILTON F., JR.

MARTIN COUNTY

- H 610 MARTIN COMMISSIONERS ELECTION
(RATIFIED CH.0302) 244, 304, 339, 876.
- H 688 MARTIN OCCUPANCY TAX
(RATIFIED CH.0080) 274, 345, 374, 385, 551.
- H 607 WILLIAMSTON ELECTION METHOD
(RATIFIED CH.0374) 244, 304, 323, 887, 919, 938, 944.
- S 486 ALEXANDER SCHOOL REDISTRICTING
(RATIFIED CH.0253) 689, 814, 826, 835.

MAVRETIC, JOSEPHUS L.

- BILLS INTRODUCED - see APPENDIX
- COMMITTEE ASSIGNMENTS - see APPENDIX
- CONFEREE: H 89, H 662
- DELEGATION MEMBER TO ATTEND
 SENATOR EZZELL'S FUNERAL 43.
- EXCUSED ABSENCES 45, 103, 107.
- GIVES NOTICE OF INTENT TO RECALL
 H.B. 1113 PURSUANT TO RULE 39 865.
- MOTION TO SUSPEND RULE 41(b) 692.
- OATH 9.
- STATEMENT REGARDING
 ASTRONAUT MANLEY LANIER "SONNY" CARTER 258.

MCALLISTER, MARY E.

- BILLS INTRODUCED - see APPENDIX
- COMMITTEE ASSIGNMENTS - see APPENDIX
- CONFEREE: S 930
- EXCUSED ABSENCES 75, 787.
- OATH 9.

MCDOWELL COUNTY

- H 624 BURKE/FORSYTH/MCDOWELL DEVELOPMENT
(RATIFIED CH.0496)(S 490) 253, 379, 405, 1003, 1026, 1047.

MCGEE, EDWARD L.

- BILLS INTRODUCED - see APPENDIX
- COMMITTEE ASSIGNMENTS - see APPENDIX
- EXCUSED ABSENCES 1234.
- OATH 119.

MCLAUGHLIN, JOHN B.

- BILLS INTRODUCED - see APPENDIX
- COMMITTEE ASSIGNMENTS - see APPENDIX
- EXCUSED ABSENCES 702.
- OATH 9.

MCLAWHORN, CHARLES

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

EXCUSED ABSENCES 53, 456, 543.

OATH 9.

MECKLENBURG COUNTYH 670 ANNEX MECK NECK TO IREDELL
(REF TO COM ON LOC&RGII) 267.H 291 CHARLOTTE/MATTHEWS AUTO TAX
(RATIFIED CH.0209) 158, 187, 230, 241, 269,
464, 749, 771, 783, 790.H 587 LOCAL JET SKI REGULATIONS
(RATIFIED CH.0494) 228, 249, 281, 300,
872, 919, 952, 1036, 1037, 1047.H 270 MECKLENBURG FUND COURT PERSONNEL
(REF TO COM ON JUDICII)(S 212) 147.H 747 MECKLENBURG TOWNS ETJ
(RATIFIED CH.0161) 288, 393, 420, 452, 741, 745, 754.H 247 MECKLENBURG VOL. POLICE AUX.
(RATIFIED CH.0028) 137, 145, 153, 199.H 119 PINEVILLE ANNEXATION
(RATIFIED CH.0048) 80, 97, 145, 152, 159, 384.S 219 DAVIDSON ANNEXATION
(REF TO COM ON LOC&RGII) 466.**MEDICINE**H 96 ADVANCE DIRECTIVES, HEALTH CARE
(Senate) 74, 642, 684.H 821 AMEND NATURAL DEATH ACT
(RATIFIED CH.0639) 297, 414, 435, 443,
454, 1093, 1122, 1127, 1147.S 348 AMEND STATE AUDITOR'S DUTIES
(REF TO COM ON STATGOVT) 465.S 684 CHIROPRACTIC DIAGNOSTIC IMAGING
(RATIFIED CH.0633) 700, 959, 1109, 1119, 1147.S 740 CHIROPRACTIC UTILIZATION REVIEW
(REF TO COM ON JUDICII) 654.H 858 CLARIFY GOOD SAMARITAN ACT
(REF TO COM ON JUDICI) 321.H 532 CONTROLLED SUBSTANCES SECURITY
(RATIFIED CH.0309) 216, 252, 496, 537, 888.S 58 DENTISTS/GENERAL ANESTHESIA
(RATIFIED CH.0678) 616, 1075, 1163, 1165, 1194.H 1042 DETERMINATION OF DEATH ACT
(REF TO COM ON JUDICIII) 368.H 304 DRUG DEALER MANDATORY SENTENCE
(REF TO COM ON JUDICI) 163.H 971 DRUG EXPIRATION DATE ON LABEL
(FAILED 3RD READING) 353, 432, 528, 588, 615.H 457 DRUG FELONS LOSE SCHOLARSHIPS
(Senate) 206, 646, 687, 693.

H 679 DRUG OFFENSE NEAR SCHOOL (Senate) 273, 411, 434.

H 1081 DRUG OFFENSE, NO HOUSE ARREST
(REF TO COM ON JUDICIII) 398.S 762 DRUG POSSESSION IN PRISON
(RATIFIED CH.0484) 658, 918, 996, 1046.

MEDICINE—Con'd.

H 526	DRUG SALES TO YOUTHS (REF TO COM ON JUDICI)	215, 639.
H 508	FELONY TO FORTIFY DRUG HOUSE (Senate)	212, 667, 695, 696.
H 349	FIREARM USE DURING DRUG OFFENSE (RE- REF COM ON APPROP)	183, 497.
S 51	FUNERAL AND BURIAL TRUST ACT (REF TO COM ON RULES&)	1023.
H 425	HEALTH CARE SAMARITANS (RATIFIED CH.0655) .	201, 475, 518, 536, 1138, 1150, 1174.
H 1091	LICENSING BOARDS UNDER BUDGET (RE-REF COM ON FINANCE)	399, 506.
H 470	MARIJUANA POSSESSION PENALTIES (REF TO COM ON JUDICIII)	207.
H 357	MEDICAL BOARD PROPERTY (Senate)	184, 250, 426, 505, 765, 786, 793.
H 355	MEDICAL BOARD SUBPOENAS (RATIFIED CH.0348) .	184, 366, 407, 421, 810, 885, 908, 923.
H 120	MEDICAL MALPRACTICE STUDY (REF TO COM ON RULES&)(S 65)	80.
H 400	MORTUARY SCIENCE REGULATIONS (RATIFIED CH.0528)	194, 251, 285, 505, 517, 534, 555, 1022, 1044, 1069.
H 361	NO DRUGS AT SCHOOL BUS STOPS (REF TO COM ON JUDICIII)	189.
H 970	NO PHYSICIAN'S PHARMACY PERMIT (RE- REF COM ON FINANCE)	353, 432, 559, 628.
S 329	NURSING ACT TECHNICAL AMENDS (RATIFIED CH.0643)	676, 932, 981, 1121, 1173.
S 760	NURSING HOME ADMINISTRATORS (RATIFIED CH.0710)	677, 798, 1001, 1214, 1235.
H 314	NURSING SHORTAGE REMEDIES (RATIFIED CH.0550)(S 278)	165, 338, 377, 421, 443, 1040, 1068, 1090.
H 420	OMNIBUS TECHNICAL AMENDMENTS (RATIFIED CH.0636)	201, 594, 664, 1002, 1122, 1127, 1147.
H 997	OPTOMETRY LAW CHANGES (REF TO COM ON HUMRES)	356.
H 881	PASTORAL COUNSELORS CERTIFIED (RATIFIED CH.0670)(S 712)	333, 715, 809, 829, 838, 1165, 1166, 1193.
H 353	PHARMACY ACT TECH. AMENDS (RATIFIED CH.0125)	183, 250, 329, 487, 520, 737.
H 354	PHARMACY BOARD FEES (ASSIGNED TO FIN-STAT)	183, 261.
S 316	PODIATRY FEES/LICENSE (RATIFIED CH.0457)(H 346)	888, 963, 993, 1012, 1023, 1024.
H 346	PODIATRY FEES/LICENSE (RE-REF COM ON FINANCE)(S 316) .	182, 250, 412, 544.
H 195	PRESCRIPTION DRUG POSSESSION (REF TO COM ON JUDICI)	108.
H 915	PSYCHOLOGISTS' CONDUCT CODE (RATIFIED CH.0239)	337, 587, 615, 788, 797, 802, 811.

MEDICINE—Con'd.

- S 742 REGULATE MEDICAL DEVICES
(RATIFIED CH.0578) 678, 798, 936, 1074, 1103.
- H 463 REVISE SCHEDULE III/STEROIDS
(RATIFIED CH.0413) 206, 497, 541, 562, 942, 955, 967.
- H 552 SUSPEND LICENSE/DRUG FELONY
(Senate) 218, 318, 412, 506, 538, 638, 682.
- H 929 TECHNICAL CORRECTIONS
(RATIFIED CH.0761) 347, 527, 588, 1234,
1242, 1246, 1253, 1254, 1255.
- H 539 TRIPLICATE PRESCRIPTION PADS
(REF TO COM ON HUMRES) 217.
- H 673 TYPOGRAPHICAL ERROR CORRECTED
(RATIFIED CH.0658) . 267, 433, 680, 701, 1126, 1149, 1174.

MENTAL HEALTH

- H 363 AREA AUTHORITY PROPERTY
(REF TO COM ON APPROP) 190.
- H 427 ATT'Y GENERAL COMMITMENT ROLE
(RATIFIED CH.0257) 202, 327, 364, 810, 824, 835.
- S 43 AUTOMATIC COMMITMENT, INSANITY
(RATIFIED CH.0037) 129, 236, 256, 306.
- H 533 CONTINUE MENTAL HEALTH STUDY
(REF TO COM ON RULES&)(S 408) 216.
- S 408 CONTINUE MENTAL HEALTH STUDY
(REF TO COM ON RULES&)(H 533) 700.
- H 527 EMERGENCY COMMITMENT CHANGE
(REF TO COM ON JUDICI) 215, 639.
- H 377 HEALTH PROFESSIONAL RECRUITMENT
(REF TO COM ON APPROP) 192.
- S 372 MENTAL HEALTH CLIENT RECORDS
(RATIFIED CH.0359) 617, 717, 865, 930, 943.
- S 470 MENTAL HEALTH CLIENT TRANSPORT
(RATIFIED CH.0704) 617, 997, 1208, 1211.
- S 710 MENTAL HEALTH CLIENTS' RIGHTS
(RE-REF COM ON HUMRES) 677, 798.
- S 293 MENTAL HEALTH CONTRACT SERVICES
(RATIFIED CH.0215) 530, 716, 750, 777, 800.
- S 771 MENTAL HEALTH RECORDS ACCESS
(RATIFIED CH.0544) 678, 808, 936, 1059, 1090.
- S 376 MENTAL HEALTH/DEVELOPMENTAL DISABILITY/
SUBSTANCE ABUSE SERVICES JAIL RECOMMENDATIONS
(RATIFIED CH.0482) ... 617, 717, 859, 930, 978, 995, 1046.
- H 420 OMNIBUS TECHNICAL AMENDMENTS
(RATIFIED CH.0636) 201, 594, 664, 1002, 1122, 1127, 1147.

MERCER, LEO

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

EXCUSED ABSENCES 89, 365.

OATH 9.

READS PROCLAMATION REGARDING

WHITEVILLE HIGH SCHOOL BASEBALL TEAM, 1991

2-A CHAMPIONS 893.

MICHAUX, HENRY M., JR.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

EXCUSED ABSENCES 436, 1193.

EXCUSED FROM VOTING: H 301 759, 773.

OATH 9.

MILITIA

S 348 AMEND STATE AUDITOR'S DUTIES

(REF TO COM ON STATGOVT) 465.

S 659 NATIONAL GUARD AWARDS

(RATIFIED CH.0367) 532, 767, 846, 928, 944.

MILLER, GEORGE W., JR.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFERE: H 83, H 408, H 1287, S 649 (Co-Chairman), S 930

EXCUSED ABSENCES 127, 131, 135, 150, 198, 249, 258, 781, 787.

OATH 45.

MINES & QUARRIES

H 1124 ENVIRONMENT TECH. CORRECTIONS

(RATIFIED CH.0342)(S 802) 403, 449, 547, 619, 907.

MINORITY LEADER - see RHYNE, JOHNATHAN L., JR.**MINORITY REPORT**

S 244 GUBERNATORIAL VETO-3

(MIN REPORT FAILED) 617, 1078, 1079.

MINORITY WHIP - see ESPOSITO, THERESA H.**MITCHELL COUNTY**

H 172 MITCHELL ACCOUNTANT/TAX COLLECTOR

(Senate) 95, 132, 138.

MONOPOLIES

S 706 ENFORCE CORP. ACQUISITION LAW

(RATIFIED CH.0440) 572, 889, 974, 995, 1006.

S 109 MODIFY TAX SECRECY PROVISION

(REF TO COM ON JUDICII) 129.

H 974 NO CREDIT CARD NUMBER ON CHECKS

(Senate) 353, 380, 525, 594.

H 557 NO GAS PRICE DISCRIMINATION

(RE-REF COM ON RULES&) 219, 1111.

H 975 NO PERSONAL INFO, CREDIT CARD

(POSTPONED INDEFINITELY) 353, 380, 752, 844.

MONTGOMERY COUNTY

H 1160 BEAR LICENSE REPEAL/RESTRICT FISHING

(RATIFIED CH.0671) 513, 536, 651, 703,
869, 963, 1014, 1033, 1193.

H 263 LOCAL SOLID WASTE CONTACTS

(RATIFIED CH.0029) 142, 145, 154, 199.

S 223 MONTGOMERY SCHOOLS

(RATIFIED CH.0024) 147, 181, 197, 199.

MOORE COUNTY

- H 809 HIGHWAY LAWS APPLY IN SEVEN LAKES
(RATIFIED CH.0597) . 295, 552, 576, 612, 1081, 1087, 1105.
- H 810 MOORE TOWNS STUDY ANNEXATION
(Senate) 295, 552, 575.
- H 577 PINEHURST ANNEXATION
(RATIFIED CH.0466) 225, 249, 306, 323,
338, 657, 979, 985, 1007, 1024.

MORGAN, RICHARD T.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFERE: S 930

EXCUSED ABSENCES 781.

EXCUSED FROM VOTING: H 1008 645.

H 1009 697, 721.

OATH 9.

POINT OF PERSONAL PRIVILEGE 440.

MORTGAGES

- H 303 AMEND FORECLOSURE POSTPONEMENT
(Senate) 163, 313, 342.
- S 778 CORPORATE INSTRUMENT EXECUTION
(RATIFIED CH.0647) 631, 933, 1058, 1080,
1087, 1138, 1144, 1148, 1173.
- H 868 NOTICE OF SETTLEMENT REVISIONS
(RATIFIED CH.0261) 331, 647, 673, 676, 810, 825, 836.
- S 639 POWER OF SALE AMENDMENT
(RATIFIED CH.0255) 617, 797, 831, 835.
- H 849 RECORD SEPARATE INSTRUMENTS
(RATIFIED CH.0114) 320, 446, 473, 488, 730.
- H 289 VALIDATE CONVEYANCES
(RATIFIED CH.0489) 158, 313, 342, 1002, 1027,

MOTOR VEHICLES

- H 48 AMBER LIGHTS FOR REACT VEHICLES
(RATIFIED CH.0044)(S 47) 62, 112, 123, 367.
- S 47 AMBER LIGHTS FOR REACT VEHICLES
(REPTD UNFAV)(H 48) 95, 765.
- H 435 AMEND HANDICAPPED DRIVER LAWS
(RATIFIED CH.0411) 203, 590, 640, 659, 942, 955, 967.
- H 709 AUTOMATED CHEMICAL TESTING
(RE-REF COM ON APPROP) 277, 476, 749.
- H 734 COLLEGIATE REGISTRATION PLATES
(RATIFIED CH.0758) 286, 495, 672, 703, 829, 885, 927,
957, 975, 1180, 1198, 1247, 1248, 1252, 1255.
- S 640 COLLEGIATE REGISTRATION PLATES-2
(RE- REF COM ON APPROP) 1023, 1149, 1161.
- H 403 COLLISION REPORT FEES
(REF TO COM ON FINANCE) 195.
- S 146 CONTRACT AGENT FEE
(REF TO COM ON TRANSPOR)(H 176) 655.
- H 176 CONTRACT AGENT FEE (Senate)(S 146) . 99, 187, 836, 851.
- H 1115 CREATE DIV'N OF ADULT SERVICES
(REF TO COM ON APPROP) 402.
- S 90 DEPLOYED SOLDIER LICENSE RENEWAL
(RATIFIED CH.0017) 151, 155, 172, 179.

MOTOR VEHICLES—Con'd.

H 299	DESIGNATING TRUCK ROUTES (RATIFIED CH.0112)	162, 187, 251, 270, 477, 520, 537, 730.
H 998	DMV OFFICERS JURISDICTION (REPTD UNFAV)	356, 545.
H 606	DRIVER LICENSE COMPACT (RE-REF COM ON JUDICII)	240, 638, 670.
S 20	DRIVER LICENSE EXEMPTIONS (RATIFIED CH.0478)(H 19)	167, 917, 978, 995, 1046.
H 19	DRIVER LICENSE EXEMPTIONS (Senate)(S 20)	51, 86, 139, 154.
H 987	DRIVER LICENSE SUSPENSION PERIOD (RATIFIED CH.0509)	355, 539, 595, 1004, 1029, 1048.
S 472	DRIVERS LICENSE CHANGES (RATIFIED CH.0726)	1023, 1112, 1150, 1175, 1203, 1236.
H 297	DRUG OFFENDER DRIVERS LICENSE (RE-REF COM ON JUDICII)	162, 660, 707.
H 298	DRUG OFFENDER LICENSE REVOCATION (REF TO COM ON JUDICII)	162.
H 847	DWI BLOOD ALCOHOL TO 0.05 (REF TO COM ON JUDICII)	320.
H 613	DWI CIVIL LICENSE REVOCATION (REF TO COM ON JUDICIII)	245.
H 158	DWI REVOCATION, 18-21 YEAR OLD (FAILED 2ND READING)	90, 638, 681.
S 250	EDUCATION GOVERNANCE CHANGES (REF TO COM ON RULES&)	1077.
H 404	FELONY DRIVING WITHOUT LICENSE (REF TO COM ON JUDICIII)	195.
H 69	FIRE/RESCUE PERMANENT PLATES (ASSIGNED TO TRAN-HWY)	67, 95, 495.
H 581	FIVE-YEAR DRIVERS LICENSE (RE-REF COM ON FINANCE)(S 471)	227, 438.
H 861	FLASHING SCHOOL BUS LIGHTS (RATIFIED CH.0290)	322, 539, 589, 860.
S 447	FUEL TRUCKS ON LIGHT DUTY ROADS (RATIFIED CH.0202)	405, 728, 758, 779, 785, 789.
H 872	GAS SERVICE FOR HANDICAPPED (Senate)	332, 639, 670.
H 1114	HIGHWAY PATROL INVESTIGATIONS (REF TO COM ON JUDICII)	402.
H 8	HIGHWAY TRUST FUND TECH. CHANGES (RATIFIED CH.0193)	46, 85, 135, 143, 148, 428, 441, 477, 555, 571, 759, 769, 783.
S 682	HOUSEMOVING AMENDMENTS (REF TO COM ON RULES&)	1005.
H 826	INCREASE AUTO LIABILITY LIMITS (RATIFIED CH.0469)(S 494)	307, 479, 566, 637, 872, 889, 941, 987, 1009, 1024.
H 379	INCREASE SPEEDING FINES-2 (Senate)	192, 539, 589.
S 119	LIGHTS/WIPERS ON SUNSET OFF (RATIFIED CH.0018)	115, 155, 172, 180.
H 470	MARIJUANA POSSESSION PENALTIES (REF TO COM ON JUDICIII)	207.
H 710	MOBILE HOME TITLES RECORDED (REPTD TO TRANSPOR)	277, 413, 578.
H 658	MODEL YEAR LICENSE PLATES (ASSIGNED TO TRAN-PUB)	265, 413.

MOTOR VEHICLES—Con'd.

- H 330 MOTOR VEHICLE DEALER DEFINITION
(RATIFIED CH.0527) . 174, 271, 312, 324, 1022, 1044, 1069.
- H 376 MOTOR VEHICLE INSPECTIONS
(REPTD TO TRANSPOR) 192, 495, 583, 623.
- S 384 MOTOR VEHICLE LAW CHANGES
(RATIFIED CH.0682) 268, 868, 978, 1111, 1119, 1194.
- H 20 MOTOR VEHICLE PROPERTY TAX
(RATIFIED CH.0624) 51, 87, 150, 179, 185,
1099, 1117, 1128.
- H 604 MOTOR VEHICLE SURETY BONDS
(RATIFIED CH.0495) . 240, 413, 539, 589, 1003, 1028, 1047.
- H 895 MOTOR VEHICLE WARRANTY WORK
(RATIFIED CH.0561) 334, 579, 621, 1022, 1045, 1091.
- S 746 MOTORIZED WHEELCHAIRS
(RATIFIED CH.0206) 690, 729, 752, 779, 785, 790.
- H 884 NEWSPAPER DELIVERY, SEAT BELTS
(RATIFIED CH.0448) 333, 446, 488, 1007.
- H 615 NO "STACKING" OF
UNDERINSURED MOTORIST INSURANCE
(REF TO COM ON COMMERCE)(S 38) 245.
- S 23 NO BLUE LIGHTS ALLOWED
(RATIFIED CH.0263) 297, 824, 842, 847.
- S 24 NO DRIVER LICENSE FOR DELINQUENT
(RE- REF COM ON JUDICII)(H 210) 361, 748.
- H 210 NO DRIVERS LICENSE FOR DELINQUENT
(REF TO COM ON JUDICII)(S 24) 113.
- H 406 NO INSPECTION CERTAIN TRUCKS
(RATIFIED CH.0394) 195, 495, 643, 685, 921, 938, 946, 954.
- H 892 NO ORAL DRIVERS LICENSE TESTS
(REPTD TO TRANSPOR) 334, 413, 462.
- H 969 NO PASS, NO DRIVE (REF TO COM ON EDUCATN) .. 353.
- H 382 NO STACKING OVERWEIGHT PENALTIES
(RE- REF COM ON APPROP) 192, 447, 1161, 1191.
- H 922 NOTIFY LIENHOLDER OF SETTLEMENT
(Senate) 346, 591, 624.
- H 904 OFF-PREMISE VEHICLE SALES
(RATIFIED CH.0662) 336, 647, 794, 815, 826,
1086, 1107, 1124, 1145, 1154, 1175.
- H 437 OVERDIMENSION PERMIT VIOLATION
(RE- REF COM ON FINANCE)(S 371) 203, 495, 663.
- H 1099 PASSING STOPPED SCHOOL BUSES
(FAILED 2ND READING) 400, 639, 671, 685.
- S 369 PERMANENT PLATES ON TRAILERS
(REF TO COM ON RULES&) 1065.
- S 315 PHYSICIANS PROMOTE HIGHWAY SAFETY
(RE- REF COM ON JUDICII) 571, 875, 959.
- H 832 PROHIBIT IMPAIRED HUNTING (Senate) 307, 626, 665, 680.
- H 175 RAILROAD CROSSING SAFETY
(RATIFIED CH.0368) 99, 117, 130, 921, 939, 944.
- H 1075 REPRESENTATIVES' LICENSE PLATES
(Senate) 383, 559, 599.
- H 514 SEAT BELTS/CRIMINAL PROSECUTIONS
(REF TO COM ON JUDICIII) 213.
- H 64 SIMPLIFY SPECIAL PLATE STATUTES
(RATIFIED CH.0672)(S 40) ... 66, 150, 180, 745, 749, 760,
774, 1002, 1027, 1040, 1163, 1177, 1178, 1194.

MOTOR VEHICLES—Con'd.

- S 642 SPECIAL PERMIT REGULATIONS
(RATIFIED CH.0604) 631, 950, 1082, 1115.
- H 1048 SPEEDING SCHOOL FEE (REF TO COM ON FINANCE) 369.
- H 843 STRENGTHEN DWI LAWS (Senate) 319, 511, 563, 591.
- S 9 SUP'T CHAIR STATE EDUC. BOARD-1
(Senate) 654, 996, 1208, 1228, 1229, 1239, 1246, 1252.
- H 929 TECHNICAL CORRECTIONS
(RATIFIED CH.0761) 347, 527, 588, 1234, 1242,
1246, 1253, 1254, 1255.
- H 1064 TRUCK AXLE REQUIREMENTS
(RATIFIED CH.0449) 371, 495, 643, 688, 1007.
- H 331 TRUCK/BUS TWO REARVIEW MIRRORS
(RATIFIED CH.0113) 175, 458, 490, 730.
- S 209 UNDERCOVER MV INFO CONFIDENTIAL-2
(RATIFIED CH.0053)(H 189) 226, 301, 325, 340, 416.
- H 179 UNDERCOVER MV INFO. CONFIDENTIAL-1
(REPTD UNFAV) 100, 764.
- H 189 UNDERCOVER MV INFO. CONFIDENTIAL-2
(REPTD UNFAV)(S 209) 105, 764.
- H 845 UNDERINSURED MOTORIST COVERAGE
(REF TO COM ON COMMERCE) 320.
- S 688 UNDERINSURED MOTORIST COVERAGE-2
(RATIFIED CH.0646)(H 909) 699, 705, 769, 904, 979,
995, 1060, 1132, 1138, 1173.
- H 909 UNDERINSURED MOTORIST COVERAGE-2
(RE- REF COM ON COMMERCE)(S 688) 336, 679, 713.
- H 516 UNIFORM TRAFFIC CONTROL DEVICES
(RATIFIED CH.0530) 213, 580, 621, 668,
1003, 1028, 1043, 1070.
- H 1181 UNINSURED MOTORIST STUDY
(REF TO COM ON RULES&) 549.
- H 1002 VEHICLE DEALER LICENSING LAW
(RATIFIED CH.0510) . 357, 459, 508, 542, 1004, 1029, 1048.
- H 877 VEHICLE DEALERS LICENSING LAW
(REF TO COM ON JUDICI) 332.
- S 307 VEHICLE INSURANCE CANCELLATION
(RATIFIED CH.0402) 405, 768, 872, 958, 966.
- H 708 VEHICLE LIEN PERFECTION DATE
(RATIFIED CH.0414) 277, 579, 620, 942, 955, 967.
- H 402 VEHICLE REGISTRATION/INSPECT EXHAUST
(RATIFIED CH.0654) 195, 496, 546, 598,
1002, 1140, 1151, 1174.
- S 218 VEHICLE TITLE AMENDMENTS
(RATIFIED CH.0183) 465, 728, 752, 779, 782.
- H 1166 VIETNAM VETERANS LICENSE PLATE
(REF TO COM ON TRANSPOR) 529.
- H 515 WORK ZONE TRAFFIC OFFENSES (Senate) ... 213, 539, 595.

MOTORBOATS

- H 1065 BOATING SAFETY EDUCATION
(RE-REF COM ON TRANSPOR) 371, 495, 619, 1122.
- H 836 MOTORBOAT LICENSES
(REF TO COM ON TRANSPOR) 308.
- H 822 PERSONAL WATERCRAFT RESTRICTIONS
(REF TO COM ON JUDICI) 297.

MOTORBOATS—Con'd.

- S 660 REPEAL BOAT HULL ANTI-COPYING ACT
(RATIFIED CH.0191) 618, 744, 762, 774, 782.
H 834 SAFE BOATING COMMITTEE
(RE-REF COM ON RULES&) 308, 413, 494, 546, 886.

-N-

NAMES OF PERSONS

- H 616 CHILD NAME CHANGE
(RATIFIED CH.0333) 245, 626, 665, 906.

NASH COUNTY

- H 663 ROCKY MOUNT FIREMEN'S FUND
(RATIFIED CH.0497) 266, 561, 613, 1047.
S 190 MOMEYER INCORPORATED
(RATIFIED CH.0242) 246, 709, 788, 804, 814, 825.
S 611 NASH/EDEN ABC CREDIT SALES
(RATIFIED CH.0171) 657, 742, 757, 770.
S 612 NASH/ROCKY MOUNT SCHOOL MERGER
(RATIFIED CH.0391) 792, 843, 857, 867, 893, 894, 908, 954.

NAVIGATION

- H 833 ADOPT NAVIGATION RULES
(REF TO COM ON TRANSPOR) 308.
H 834 SAFE BOATING COMMITTEE
(RE-REF COM ON RULES&) 308, 413, 494, 546, 886.

NESBITT, MARTIN L.

- BILLS INTRODUCED - see APPENDIX
COMMITTEE ASSIGNMENTS - see APPENDIX
CONFEREE: H 83, H 89, H 494, H 929, H 1287, S 39, S 688,
S 828, S 930
ESCORT TO SPEAKER PRO TEMPORE 36.
EXCUSED ABSENCES 409, 424, 445.
OATH 9.

NEW HANOVER COUNTY

- H 769 NEW HANOVER BLANK BILL-1
(REF TO COM ON RULES&)(S 521) 290.
H 736 NEW HANOVER BLANK BILL-4
(REF TO COM ON RULES&) 286.
H 737 WILMINGTON RESTRICTIVE COVENANTS
(RATIFIED CH.0383)(S 619) 286, 393, 420,
835, 917, 924, 945.
H 772 WILMINGTON ZONING CONDITIONS (Senate) 291, 458, 484.
H 683 WILMINGTON ZONING DENSITY BONUS
(Senate)(S 569) 274, 392, 419.
H 738 WILMINGTON/PENDER PROPERTY MATTERS
(RATIFIED CH.0615) 286, 457, 484, 1085, 1101, 1122.
S 477 NEW HANOVER PUBLIC CONTRACTORS
(RATIFIED CH.0117) 550, 718, 732, 737.
S 619 WILMINGTON RESTRICTIVE COVENANTS
(RATIFIED CH.0122)(H 737) 657, 719, 733, 737.
S 569 WILMINGTON ZONING DENSITY BONUS
(RATIFIED CH.0119)(H 683) 656, 718, 733, 737.
S 615 WILMINGTON/WINTON CHARTER CHANGES
(RATIFIED CH.0121) 572, 719, 733, 737.

NOTARIES

- S 426 RECODIFY NOTARY PUBLIC ACT
 (RATIFIED CH.0683) 571, 725, 1134, 1157, 1170, 1194.
 H 289 VALIDATE CONVEYANCES
 (RATIFIED CH.0489) 158, 313, 342, 1002, 1027, 1046.

NUCLEAR WASTE

- H 645 WASTE COMPACT COMM'N MEMBERSHIP
 (FAILED 2ND READING)(S 515) 263, 272, 512, 564.

NYE, EDD

- BILLS INTRODUCED - see APPENDIX
 COMMITTEE ASSIGNMENTS - see APPENDIX
 CONFEREE: H 996, S 816
 EXCUSED ABSENCES 150, 456, 981.
 OATH 9.

-O-

OATHS - also see GENERAL ASSEMBLY

- H 697 LEGISLATIVE OATH CHANGED
 (REF TO COM ON RULES&) 276.

OFFICER TRAINING

- H 1100 LAW OFFICER DISCIPLINE
 (REF TO COM ON JUDICIII) 400.

OLDHAM, WARREN CLAUDE

- BILLS INTRODUCED - see APPENDIX
 COMMITTEE ASSIGNMENTS - see APPENDIX
 CONFEREE: S 227
 EXCUSED ABSENCES 1234.
 OATH 9.

ONSLOW COUNTY

- H 593 HOLLY RIDGE SOLID WASTE FEE
 (REPTD TO FINANCE)(S 496) 238, 283, 582.
 H 659 ONSLOW HUNTING SAFETY
 (RATIFIED CH.0435)(S 499) 265, 390, 430, 799,
 813, 871, 961, 979, 985.
 H 660 ONSLOW ORDINANCE PENALTY
 (Senate)(S 555) 265, 379, 405.
 S 555 ONSLOW ORDINANCE PENALTY
 (RATIFIED CH.0245)(H 660) 656, 742, 756, 792, 826.

ORANGE COUNTY

- S 549 ORANGE IMPACT TAX
 (RATIFIED CH.0324) 776, 857, 879, 892, 906.
 S 622 ORANGE OCCUPANCY/VEHICLE TAXES
 (RATIFIED CH.0392) 616, 857, 880, 892, 954.
 S 623 ORANGE/CHATHAM OMNIBUS
 (RATIFIED CH.0246) 699, 742, 759, 784, 791, 826.

PAMLICO COUNTY

- H 712 PAMLICO ROAD HUNTING
(RATIFIED CH.0138) 278, 447, 470, 738.
- H 785 PAMLICO SCHOOL BOARD DONATION
(RATIFIED CH.0313) 292, 447, 471, 889.
- H 275 PAMLICO SUBDIVISION REPEAL
(RATIFIED CH.0370) 156, 222, 232, 255, 944.
- S 530 REPEAL FOX HUNTING SUNSET
(RATIFIED CH.0483) 531, 545, 935, 999, 1046.

PARTNERSHIP

- S 414 REVISE LIMITED PARTNERSHIP ACT
(RATIFIED CH.0153) 362, 726, 740, 747, 753.

PASQUOTANK COUNTY

- H 584 ALBEMARLE JAIL TRANSPORTATION
(RATIFIED CH.0371) 228, 493, 533, 887, 916, 923, 944.
- H 194 ELIZABETH CITY-PASQUOTANK AIRPORT
(RATIFIED CH.0026) 107, 128, 134, 199.
- H 730 PASQUOTANK LAND LEASE
(RATIFIED CH.0382) 280, 447, 470, 945.
- H 169 PASQUOTANK LOAN FORGIVEN
(ASSIGNED TO APP-EDUC) 95, 583.
- H 339 PASQUOTANK PROPERTY SALE
(RATIFIED CH.0061) 176, 223, 233, 404, 417, 439.
- H 598 PASQUOTANK ROAD HUNTING
(RATIFIED CH.0247) 239, 457, 626, 633, 753, 805, 813, 826.
- H 652 REGISTER VACANCY MODIFICATION
(RATIFIED CH.0376) 264, 493, 534, 835, 916, 924, 944.

PAYNE, HARRY E., JR.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFEREE: H 126, H 190, H 929, H 1107, S 688

ESCORT FOR PRINCESS OF

NORTH CAROLINA AZALEA FESTIVAL 152.

OATH 9.

PENDER COUNTY

- H 587 LOCAL JET SKI REGULATIONS
(RATIFIED CH.0494) 228, 249, 281, 300,
872, 919, 952, 1036, 1037, 1047.
- H 793 PENDER BLANK (REF TO COM ON RULES&) 293.
- H 805 PENDER ORDINANCE PENALTY-1
(REF TO COM ON FINANCE) 295.
- H 804 PENDER STREAM ENFORCEMENT
(REF TO COM ON LOC&RGII) 295.
- H 796 PENDER/SAMPSON VACANCIES
(RATIFIED CH.0558) 294, 411, 435, 937,
946, 964, 1063, 1065, 1091.
- H 803 REPEAL PENDER TRAPPING LAW
(REF TO COM ON LOC&RGII) 295.
- H 738 WILMINGTON/PENDER PROPERTY MATTERS
(RATIFIED CH.0615) 286, 457, 484, 1085, 1101, 1122.
- S 578 PENDER SCHOOL LEASES
(RATIFIED CH.0120) 572, 719, 733, 737.
- S 545 PENDER SUBDIVISION REGULATION
(RATIFIED CH.0204) 699, 742, 756, 789.

PENDER COUNTY—Con'd.

- S 544 REPEAL PENDER TRAPPING LAW
 (RATIFIED CH.0118) 656, 718, 732, 737.
 S 502 TOPSAIL ISLAND NO-WAKE ZONE
 (RATIFIED CH.0090) 531, 682, 707, 711.

PERQUIMANS COUNTY

- H 584 ALBEMARLE JAIL TRANSPORTATION
 (RATIFIED CH.0371) 228, 493, 533, 887, 916, 923, 944.
 H 649 PERQUIMANS BLANK BILL-1
 (REF TO COM ON RULES&) 264.
 H 650 PERQUIMANS BLANK BILL-2
 (REF TO COM ON RULES&) 264.
 H 652 REGISTER VACANCY MODIFICATION
 (RATIFIED CH.0376) 264, 493, 534, 835, 916, 924, 944.

**PETITIONS, MEMORIALS AND PAPERS ADDRESSED
TO THE HOUSE**

- COMMISSIONER OF BANKS, APPOINTMENT
 LETTER FROM GOVERNOR REGARDING 50.
 COOPER, ROY A., LETTER OF RESIGNATION FROM 75.
 GOVERNOR'S APPOINTMENT TO THE
 UTILITIES COMMISSION 409.
 GOVERNOR'S APPOINTMENTS TO
 STATE PERSONNEL COMMISSION 648, 934.
 GOVERNOR'S APPOINTMENTS TO THE
 STATE BOARD OF EDUCATION 235.
 PETITIONS REGARDING A STATE LOTTERY 456.
 PROCLAMATION HONORING THE
 200TH ANNIVERSARY OF LENOIR COUNTY 416.
 PROCLAMATION RECOGNIZING
 NORTH CAROLINA COMMUNITY COLLEGES SYSTEM 651.
 PROCLAMATION RECOGNIZING THE
 FOUNDING OF UNC-GREENSBORO 69.

PITT COUNTY

- H 113 AYDEN PRIVATE SALE
 (RATIFIED CH.0058) 77, 97, 107, 404, 417, 439.
 H 664 FARMVILLE DE-ANNEXATION
 (RATIFIED CH.0377) 266, 391, 447, 471, 944.
 H 694 GREENVILLE UTILITIES COMMISSION
 (POSTPONED INDEFINITELY)(S 577) 275, 765.
 H 791 PITT BLANK (REF TO COM ON RULES&) 293.
 H 626 PITT SOLID WASTE FEES
 (REPTD TO FINANCE) 253, 284, 582.

POLITICAL PARTIES - see ELECTIONS**POLK COUNTY**

- H 707 POLK LAND TRANSFER TAX
 (ASSIGNED TO FIN-STAT) 277, 919.
 S 534 COLUMBUS OCCUPANCY TAX
 (RATIFIED CH.0632) 905, 1039, 1068,
 1094, 1108, 1128, 1147.

POLLUTION CONTROL

H 1001	ADOPT-A-BEACH PROGRAM (RE-REF COM ON APPROP)	357, 382.
S 455	AQUATIC WEED CONTROL (ASSIGNED TO ENV-WAT&)(H 554)	480, 536, 799, 813.
H 554	AQUATIC WEED CONTROL (RATIFIED CH.0132)(S 455)	219, 317, 478, 522, 738.
H 913	COASTAL COMM'N MEMBERSHIP (Senate)	337, 382, 494, 537.
H 541	DISCLOSE ENVIRONMENTAL LIMITS (Senate)	217, 237, 512, 564, 588.
S 634	EMERALD ISLE BEACH ACCESS (RATIFIED CH.0365)(H 817)	531, 791, 846, 928, 943.
H 817	EMERALD ISLE BEACH ACCESS (REF TO COM ON ENVIRONM)(S 634)	296.
S 410	ENVIRONMENTAL POLICY ACT AMENDS (ASSIGNED TO ENV-WAT&)(H 410)	677, 798, 812.
H 410	ENVIRONMENTAL POLICY ACT AMENDS (RATIFIED CH.0431)(S 410)	199, 223, 271, 313, 324, 953, 969, 985.
S 451	IMPROVE ENVIRONMENTAL ENFORCEMENT (RATIFIED CH.0725)	694, 766, 1136, 1216, 1236.
H 742	MOUNTAIN PLANNING ACT (REF TO COM ON ENVIRONM)	287, 309.
H 1120	NO NET LOSS OF WETLANDS (ASSIGNED TO ENV-WAT&)	403, 449.
S 151	PROTECT NATURAL/SCENIC RIVERS (FAILED 3RD READING)	688, 727, 751, 778, 785, 1031, 1212, 1239.
H 449	SEDIMENTATION CONTROL AMENDS (RATIFIED CH.0275)(S 456)	205, 223, 329, 463, 479, 523, 542, 848.
H 448	SEDIMENTATION STOP-WORK ORDERS (RATIFIED CH.0412)(S 454)	205, 223, 479, 522, 537, 942, 955, 967.
S 134	STATE TRAIL DESIGNATION (RATIFIED CH.0115)	465, 715, 733, 736.
H 1227	STUDY ENVIRONMENTAL POLICY ACT (REF TO COM ON RULES&)	603.
H 929	TECHNICAL CORRECTIONS (RATIFIED CH.0761)	347, 527, 588, 1234, 1242, 1246, 1253, 1254, 1255.
S 136	TRAIL SYSTEM LIABILITY (RATIFIED CH.0038)	147, 244, 270, 306.

POPE, J. ARTHUR

BILLS INTRODUCED - see APPENDIX	
COMMITTEE ASSIGNMENTS - see APPENDIX	
EXCUSED ABSENCES	787.
EXCUSED FROM VOTING: H 163	714.
JOINT MINORITY CAUCUS LEADER	41.
MOTION TO PLACE AMENDMENT #10 OF TEMPORARY RULES ON CALENDAR FOR TENTH LEGISLATIVE DAY	
	26, 68.
OATH	9.

POWERS OF ATTORNEY

- H 96 ADVANCE DIRECTIVES, HEALTH CARE
(Senate) 74, 642, 684.
- H 821 AMEND NATURAL DEATH ACT
(RATIFIED CH.0639) 297, 414, 435, 443,
454, 1093, 1122, 1127, 1147.
- S 749 HEALTH CARE POWER OF ATTORNEY
(REF TO COM ON RULES&) 677.
- S 741 UNRECORDED POWERS OF ATTORNEY
(RATIFIED CH.0173) 618, 744, 763, 770.

PRAYERS - also see CHAPLAIN

- BISHOP H. HARTFORD BROOKINS, 2ND EPISCOPAL DISTRICT,
AME CHURCH 445.
- FATHER GERALD LEWIS,
SACRED HEART CATHEDRAL, RALEIGH 884.
- RABBI DANIEL HORNSTEIN, BETH MEYER SYNAGOGUE 902.
- REPRESENTATIVE FUSSELL 423.
- REPRESENTATIVE PRIVETTE 436.
- REVEREND JAMES W. BROWN 89.
- REVEREND ANN JONES 173.
- REVEREND WILLIS WILSON,
REEDY CREEK BAPTIST CHURCH, WEAVERVILLE .. 787.
- WATSON, MARIETTA G. 97.

PRECINCTS - see ELECTIONS**PRESCRIPTIONS - see MEDICINE****PRINCIPAL CLERK - see COLLINS, GRACE A.****PRIVATE POLICE**

- S 725 PRIVATE PROTECTION BLANK
(REF TO COM ON RULES&) 677.
- H 269 PRIVATE PROTECTIVE SERVICES
(ASSIGNED TO SG-BRDS&)(S 206) 146, 250.

PRIVETTE, COY C.

- BILLS INTRODUCED - see APPENDIX
- COMMITTEE ASSIGNMENTS - see APPENDIX
- EXCUSED ABSENCES 114, 117, 186, 742.
- OATH 9.
- OFFERS PRAYER 436.

PROBATE

- S 398 AMEND BUSINESS CORPORATION ACT
(RATIFIED CH.0645) 499, 956, 1110, 1173.
- S 778 CORPORATE INSTRUMENT EXECUTION
(RATIFIED CH.0647) 631, 933, 1058, 1080,
1087, 1138, 1144, 1148, 1173.
- S 473 PROTECT CERTAIN JUDGMENTS
(RATIFIED CH.0543) 480, 933, 1058, 1090.
- S 645 SECURITY INTEREST, RENTS/PROFITS
(RATIFIED CH.0234) 657, 765, 786, 811.
- H 1025 SURVEY REGISTRATION CHANGES
(RE-REF COM ON JUDICI) 360, 674, 713.
- H 289 VALIDATE CONVEYANCES
(RATIFIED CH.0489) 158, 313, 342, 1002, 1027, 1046.

PROFESSIONAL CORPORATION

- H 582 CLARIFY SPIN-OFF RULE
(RATIFIED CH.0179) 228, 301, 313, 771.
S 679 GEOLOGIST PROFESSIONAL CORP.
(RATIFIED CH.0205) 689, 764, 785, 789.
H 310 PROFESSIONAL CORPORATION FEE
(ASSIGNED TO FIN-STAT) 164, 394.

PROTECT ANIMALS

- H 477 DOG AND CAT STERILIZATION
(RE-REF COM ON APPROP) 208, 252, 650, 701, 707.

PUBLIC ACCOUNTANTS

- S 267 CPA EDUCATION REQUIREMENTS
(RATIFIED CH.0214) 298, 781, 796, 800.

PUBLIC EDUCATION

- H 639 15% CUT HIGH-PAID EMPLOYEES
(REF TO COM ON APPROP) 262.
H 1049 4TH GRADE COMPETENCY TESTING
(REF TO COM ON EDUCATN) 369.
S 348 AMEND STATE AUDITOR'S DUTIES
(REF TO COM ON STATGOVT) 465.
H 250 BEP/SB2 BLANK BILL
(REF TO COM ON RULES&)(S 168) 140.
H 252 BEP/SCHOOL EQUITY FUNDS BLANK-1
(REF TO COM ON RULES&)(S 188) 140.
H 260 BEP/SCHOOL EQUITY FUNDS BLANK-2
(REF TO COM ON RULES&) 142.
H 251 BEP/SOCIAL SERVICES FUNDING BLANK
(REF TO COM ON APPROP)(S 170) 140.
H 538 BLOCK GRANT FUNDING FOR SCHOOLS
(REF TO COM ON APPROP)(S 435) 217.
H 494 BUSINESS CONTRIBUTE TO EDUCATION
(RATIFIED CH.0706) 210, 304, 325, 340, 389,
921, 939, 972, 982, 1187, 1201, 1211.
S 458 CONTROLLER TECHNICAL CHANGES
(RATIFIED CH.0542) 689, 935, 1059, 1089.
S 798 CORPORAL PUNISHMENT POLICY
(RATIFIED CH.0269) 695, 813, 832, 840, 848.
H 253 DRIVERS EDUCATION BLANK BILL
(REF TO COM ON RULES&)(S 172) 140.
S 250 EDUCATION GOVERNANCE CHANGES
(REF TO COM ON RULES&) 1077.
H 1124 ENVIRONMENT TECH. CORRECTIONS
(RATIFIED CH.0342)(S 802) 403, 449, 547, 619, 907.
H 741 EXCEPTIONAL CHILDREN FORMULA
(RE-REF COM ON APPROP) 287, 446.
S 282 GIFTED STUDENTS PROCEDURE
(RATIFIED CH.0142) 655, 728, 741, 743.
H 221 HARNETT SCHOOL LOAN
(ASSIGNED TO APP- EDUC) 122, 583.
H 151 HIGHER EDUCATION ENCOURAGEMENT
(RE- REF COM ON APPROP)(S 125) 84, 285, 425, 455.
S 324 HOMELESS CHILDREN ASSIGNMENT
(RATIFIED CH.0719) 678, 980, 1045, 1212, 1235.
S 238 INDIAN EDUCATION COUNCIL MEMBER
(REF TO COM ON STATGOVT) 184.

PUBLIC EDUCATION—Con'd.

H 1112	K-2 STUDENTS MUST ATTEND SCHOOL (REF TO COM ON EDUCATN)(S 804)	402.
S 804	K-2 STUDENTS MUST ATTEND SCHOOL (REF TO COM ON EDUCATN) (H 1112)	1038.
S 599	LEGISLATOR'S CHILDREN IN SCHOOL (RATIFIED CH.0407)	531, 841, 916, 967.
H 493	LOW PERFORMING SCHOOL UNITS (RATIFIED CH.0529)(S 463)	210, 664, 690, 695, 1022, 1044, 1069.
H 669	MERGED UNIT SUPPLEMENTAL TAX-1 (REF TO COM ON FINANCE)	266.
S 550	MERGED UNIT SUPPLEMENTAL TAX-2 (RATIFIED CH.0325)	811, 857, 882, 897, 906.
H 334	MORE TEACHER VACATION LEAVE (RE-REF COM ON RULES&)	175, 285, 641, 850.
H 241	NC EDUCATION COUNCIL ABOLISHED (RATIFIED CH.0369)	136, 594, 627, 921, 939, 944.
H 314	NURSING SHORTAGE REMEDIES (RATIFIED CH.0550)(S 278)	165, 338, 377, 421, 443, 1040, 1068, 1090.
H 420	OMNIBUS TECHNICAL AMENDMENTS (RATIFIED CH.0636)	201, 594, 664, 1002, 1122, 1127, 1147.
H 934	OPEN BALLOT ACCESS (REPTD UNFAV)	348, 509.
H 399	PREKINDERGARTEN PROGRAMS (RE-REF COM ON APPROP)	194, 713.
H 994	PROJECT GENESIS ESTABLISHED (REF TO COM ON EDUCATN)(S 732)	356.
S 732	PROJECT GENESIS ESTABLISHED (REF TO COM ON EDUCATN)(H 994)	1082.
H 1250	PUBLIC SCHOOL ACT OF 1991 (RE-REF COM ON APPROP)	606, 709.
H 968	SCHOOL ADMINISTRATOR TRAINING (REF TO COM ON EDUCATN)	352.
S 225	SCHOOL BOARD REDISTRICTING (RATIFIED CH.0400)	298, 843, 927, 966.
H 230	SCHOOL BUS DRIVERS EMPLOYMENT (Senate)	125, 284, 641, 664, 667, 708.
H 47	SCHOOL DISCIPLINE BY PARENT (Senate)	62, 317, 641, 664, 667, 708.
H 1104	SCHOOL EMPLOYEE CRIMINAL RECORD (RE- REF COM ON FINANCE)(S 766)	401, 639.
H 1053	SCHOOL EMPLOYEE DUES DEDUCTION (Senate)	370, 460, 505, 518.
H 744	SCHOOL EMPLOYEE SICK LEAVE BANKS (RE- REF COM ON APPROP)	287, 750, 778, 853.
H 938	SCHOOL EQUITY FUNDS (REF TO COM ON EDUCATN)(S 720)	348.
H 92	SCHOOL MANAGEMENT ACCOUNTABILITY (RE- REF COM ON APPROP)(S 29)	73, 317, 533, 564, 580, 589, 647.
H 495	SCHOOL PERSONNEL EVALUATION (RATIFIED CH.0331)	210, 580, 621, 906.
H 123	SCHOOL REFORM ACT (REF TO COM ON EDUCATN)	80.
H 854	SCHOOL SUPERINTENDENTS CONTRACTS (RATIFIED CH.0238)(S 658)	321, 440, 456, 811.

PUBLIC EDUCATION—Con'd.

S 658	SCHOOL SUPERINTENDENTS CONTRACTS (REF TO COM ON EDUCATN)(H 854)	467.
H 599	SCHOOL TENURE CHANGES (Senate) 239, 540, 595, 636, 714.	
H 1186	SCHOOL YEAR/ATTENDANCE STUDY (REF TO COM ON RULES&)	568.
H 878	SCHOOLS MUST STRESS BASICS (REF TO COM ON EDUCATN)	333.
H 937	SCHOOLS OF CHOICE BLANK (REF TO COM ON RULES&)	348.
H 983	SCHOOLS OF EDUCATION STANDARDS (REPTD TO EDUCATN)	354, 519, 642.
S 281	SPECIAL ED. HEARING SUBPOENA (RATIFIED CH.0540)	549, 949, 1075, 1089.
H 695	STATE BOARD OF EDUC. APP'TS (RATIFIED RES.11)	275, 411, 437, 456, 514.
H 496	STUDENT ACHIEVEMENT ACT (REF TO COM ON EDUCATN)(S 446)	211.
S 9	SUP'T CHAIR STATE EDUC. BOARD-1 (Senate)	654, 996, 1208, 1228, 1229, 1239, 1246, 1252.
H 77	SUP'T CHAIR STATE EDUC. BOARD-2 (RE- REF COM ON APPROP)	70, 592, 635, 661, 701.
H 749	TEACH SEXUAL ABSTINENCE (REPTD TO EDUCATN)	288, 438, 642.
H 1251	TEACHER ASST. SALARY SCHEDULE (REF TO COM ON PUBEMP)	606.
H 828	TEACHER INPUT, SCHOOL PLANS (REF TO COM ON EDUCATN)(S 748)	307, 630, 680, 1022.
H 1122	TEACHER LEAVE/SCHOOL DAYS (RE-REF COM ON APPROP)	403, 802.
H 818	TEACHERS MAY CONVERT LEAVE (RE-REF COM ON APPROP)	296, 907, 946.
H 929	TECHNICAL CORRECTIONS (RATIFIED CH.0761)	347, 527, 588, 1234, 1242, 1246, 1253, 1254, 1255.
H 1015	TENURE FOR TEACHERS ONLY (REF TO COM ON EDUCATN)	358.
H 333	TEXTBOOK DISPOSAL RULES (RATIFIED CH.0328)(S 443)	175, 273, 303, 906.
H 754	VOCATIONAL EDUCATION EQUIPMENT (RATIFIED CH.0570)	288, 664, 695, 1092.

PUBLIC HEALTH

S 411	ABOLISH PERINATAL COUNCIL (RATIFIED CH.0518)	531, 936, 1059, 1069.
S 755	AIDS TEST, HIGH RISK PROCEDURE (REF TO COM ON HUMRES)	658.
S 81	ALZHEIMER'S SPECIAL CARE UNITS (POSTPONED INDEFINITELY)(H 75)	699, 821, 832.
H 75	ALZHEIMER'S SPECIAL CARE UNITS (RATIFIED CH.0222)(S 81)	68, 109, 145, 154, 801.
H 82	AMEND BEDDING SANITATION LAW (RATIFIED CH.0223)	71, 110, 237, 431, 447, 489, 801.
H 528	AMEND REPORTING REQUIREMENTS (Senate) 215, 558, 598.	
H 961	BAN PVC PLASTICS (ASSIGNED TO ENV- SOLI) .	351, 448.
H 1057	BATHROOM EQUITY ACT (REF TO COM ON RULES&)	370.

PUBLIC HEALTH—Con'd.

H 546	BIRTH IMPAIRMENT FUND (REF TO COM ON COURTS&)(S 718)	218.
H 724	CLARIFY IMMUNIZATION LAW (RATIFIED CH.0381)	279, 433, 631, 670, 904, 924, 945.
H 506	CLARIFY LEAD POISONING LAW (RATIFIED CH.0300)	212, 231, 378, 407, 876.
S 356	COMMUNICABLE DISEASE PENALTY (RATIFIED CH.0187)	617, 717, 758, 780, 782.
S 449	COMMUNITY WATER SYSTEMS PERMITS (RATIFIED CH.0576) .	799, 812, 846, 997, 1035, 1053, 1103.
H 1131	DEMOLITION ASPHALT AS FILL (RATIFIED CH.0537)	414, 449, 585, 645, 1005, 1030, 1044, 1070.
S 438	DEP'T EHN'R CONFIDENTIAL INFO. (RATIFIED CH.0745)	550, 1116, 1229, 1238.
H 962	DISPOSAL OF PAINTS & SOLVENTS (ASSIGNED TO ENV-HAZA)	352, 382.
H 966	DISSOLVE INACTIVE SANITARY DIST (RATIFIED CH.0417)	352, 487, 521, 967.
H 133	DOT USE RECYCLED GOODS (RATIFIED CH.0522)	81, 98, 188, 226, 234, 243, 1069.
H 1124	ENVIRONMENT TECH. CORRECTIONS (RATIFIED CH.0342)(S 802)	403, 449, 547, 619, 907.
S 734	EXEMPT RESTAURANT HIV DISCRIM. (REF TO COM ON HUMRES)	658.
H 219	FOOD AND LODGING PERMITS (RATIFIED CH.0226)	122, 149, 412, 435, 801.
H 268	FREE VACCINES-1 (REF TO COM ON APPROP)	146.
H 1069	HAZ. FACILITY NEAR MENTAL HOSP. (REF TO COM ON ENVIRONM)	372.
H 60	HAZARDOUS WASTE COMM. REPEALED (ASSIGNED TO ENV-HAZA)	65, 98.
H 1097	HAZ. WASTE LANDFILL BARRIERS (RATIFIED CH.0450)	400, 448, 584, 645, 922, 959, 986, 1007.
H 228	HAZ.WASTE INSPECTORS DELAY (RATIFIED CH.0020)(S 207)	125, 128, 132, 139, 184.
H 1096	HAZARDOUS WASTE FACILITY SITING (ASSIGNED TO ENV-HAZA)	399, 448.
H 161	HEALTH DIRECTOR INTERNS (REF TO COM ON APPROP)	90.
H 99	HEALTH DIRECTOR ORIENTATION (REF TO COM ON APPROP)	74.
H 498	HEALTH DIRECTOR QUALIFICATIONS (RATIFIED CH.0612) .	211, 252, 631, 684, 1093, 1108, 1115.
H 627	HEALTH SERVICES COMM'N MEMBERS (Senate)	254, 433, 631, 687.
S 360	IMMINENT HAZARD REDEFINED (RATIFIED CH.0631)	531, 959, 1110, 1147.
S 451	IMPROVE ENVIRONMENTAL ENFORCEMENT (RATIFIED CH.9725)	694, 766, 1136, 1216, 1236.
H 572	INACTIVE SITE CLEANUP DISCRETION (Senate)(S 377)	221, 232, 272, 302.
S 377	INACTIVE SITES CLEANUP DISCRETION (RATIFIED CH.0281)(H 572)	549, 727, 837, 854, 859.

PUBLIC HEALTH—Con'd.

- H 147 INCINERATOR/MATERIALS RECOVERY FACILITY PERMIT
CONDITION (ASSIGNED TO ENV-SOLI) 84, 99.
- H 18 LOCAL HEALTH BOARD RULES
(RATIFIED CH.0650) 48, 86, 109, 236, 510,
563, 1138, 1154, 1174.
- H 220 MEDICAL EXAMINER FEE-1
(RATIFIED CH.0463) ... 122, 149, 527, 856, 876, 896, 1024.
- S 386 NC MAY EXCEED U.S. AIR/WATER REGS.-1
(RATIFIED CH.0403)(H 589) . 698, 706, 766, 866, 931, 966.
- H 589 NC MAY EXCEED U.S. AIR/WATER REGS.-2
(ASSIGNED TO ENV-WAT&)(S 386) 228, 237.
- H 890 NEWBORN SCREENING PROGRAM
(RATIFIED CH.0661) 334, 432, 548, 735,
809, 830, 838, 1155, 1175.
- H 1093 PERMITS/WASTE REDUCTION PLANS
(ASSIGNED TO ENV-SOLI) 399, 448.
- S 142 PLASTIC BAGS/NOTICE DEADLINE
(RATIFIED CH.0023) 133, 136, 181, 197, 199.
- H 1007 PLASTIC/GLASS CONTAINER DEPOSIT
(RE- REF COM ON RULES&) 357, 567, 625, 668.
- H 108 PRESCRIPTION DRUG ASSISTANCE ACT
(REF TO COM ON APPROP) 77.
- H 1090 PRIVATE LANDFILL IMPACT STATEMENT
(RE- REF COM ON RULES&) 399, 448, 812.
- H 137 PROHIBITED ACTS FOR ANTIFREEZE
(ASSIGNED TO ENV-SOLI) 82, 99.
- S 821 PROTECT WATER SUPPLY WATERSHEDS
(ASSIGNED TO ENV-WAT&) 690, 727.
- H 452 PUBLIC HEALTH FEES
(RATIFIED CH.0656) 205, 251, 318, 432, 586, 614,
980, 994, 998, 1018, 1019, 1034, 1052, 1174.
- H 499 PUBLIC HEALTH MISSION
(RATIFIED CH.0299) 211, 252, 650, 686, 693, 876.
- H 1203 RECYCLABLE MARKETS LEAD AGENCY
(REF TO COM ON APPROP) 570.
- S 144 RECYCLABLES STUDY EXTENDED
(RATIFIED CH.0019) 101, 151, 172, 180.
- H 412 RECYCLE HAZARDOUS WASTE
(RATIFIED CH.0286)(S 390) 200, 224, 566, 637, 860.
- H 620 RECYCLE LEAD-ACID BATTERIES
(RATIFIED CH.0375) 246, 251, 546, 597, 921, 939, 944.
- H 862 REDUCE PACKAGING TOXICITY
(ASSIGNED TO ENV-SOLI) 322, 330.
- S 727 REGULATE BED & BREAKFAST INNS
(RATIFIED CH.0733) 677, 948, 1062, 1213, 1237.
- H 411 SANCTION STATE GAMES
(RATIFIED CH.0096) 199, 250, 329, 506, 538, 711.
- H 1038 SANITARIAN ED./SEPTIC TANK FEE
(REPTD TO FINANCE) 368, 411, 829.
- H 423 SANITARY SYSTEM REPAIR-1
(RATIFIED CH.0256) 201, 231, 328, 377, 810, 824, 835.
- H 472 SANITARY SYSTEM REPAIR-2
(ASSIGNED TO ENV-WAT&) 208, 231.
- S 145 SCRAP TIRE FEE DISTRIBUTION
(ASSIGNED TO ENV-SOLI) 133, 136.

PUBLIC HEALTH—Con'd.

- H 11 SCRAP TIRE TAX AMENDMENTS
(RATIFIED CH.0221) . 46, 85, 135, 153, 161, 171, 178, 801.
- H 218 SIMPLIFY COMMUNICABLE DISEASE LAW
(RATIFIED CH.0225) 122, 149, 412, 435, 801.
- H 424 SMALL ANIMAL HEALTH CERTIFICATE
(RATIFIED CH.0227) 201, 241, 345, 376, 387, 801.
- H 146 SOLID WASTE FACILITY FEE
(REF TO COM ON FINANCE) 83.
- H 136 SOLID WASTE INCINERATOR BANS
(Senate) 82, 99, 478, 522, 537.
- H 1109 SOLID WASTE LAW AMENDMENTS
(RATIFIED CH.0621) . 401, 448, 628, 669, 1023, 1106, 1116.
- H 900 SPECIAL HAZ. WASTE INSPECTORS
(ASSIGNED TO ENV-HAZA) 335, 448.
- H 183 STATE HEALTH PROJECTS
(RATIFIED CH.0548) 105, 114, 273, 303, 1090.
- S 357 STATE NUTRITION PROGRAM
(RATIFIED CH.0188) 530, 717, 758, 780, 782.
- H 746 STATE RECYCLING AT PUBLIC AREAS
(RATIFIED CH.0336) 287, 316, 585, 645, 906.
- H 960 STATE USE REUSABLE HAND TOWELS
(RE- REF COM ON APPROP) 351, 382, 511, 567, 682.
- H 1280 STUDY HEALTH DIVISIONS TRANSFER
(REF TO COM ON RULES&) 610.
- S 758 TANNING FACILITIES REGULATION
(RATIFIED CH.0735) 654, 717, 859, 1058, 1213, 1237.
- H 929 TECHNICAL CORRECTIONS
(RATIFIED CH.0761) 347, 527, 588, 1234, 1242,
1246, 1253, 1254, 1255.
- H 97 UNIFORM COLOR DISPOSABLE GLASS
(REPTD TO ENVIRONM) 74, 98, 478.
- H 135 USED OIL CARRIERS TO BE MARKED
(RATIFIED CH.0488) 82, 99, 132, 529, 546, 597, 1046.
- H 352 VACCINE INJURY PROGRAM
(RATIFIED CH.0410) 183, 626, 648, 669, 942, 955, 967.
- S 341 VITAL RECORDS FEES
(RATIFIED CH.0343) 700, 857, 881, 902, 913, 922.
- H 469 WASTE COMM'N MAY BYPASS COUNCIL
(REF TO COM ON ENVIRONM) 207.
- S 358 WOMEN, INFANTS, & CHILDREN
ADMINISTRATIVE PENALTIES
(RATIFIED CH.0691) 571, 717, 758, 1001, 1198, 1210.

PUBLIC OFFICES

- S 346 BUY OUT-OF-STATE RETIREMENT
(REF TO COM ON RULES&) 1021.
- H 235 CLARIFY LAW OFFICER RETIREMENT
(RE- REF COM ON APPROP) 129, 852.
- H 368 CLARIFY RETIREMENT DEFINITION
(RATIFIED CH.0051) 190, 258, 282, 384.
- H 31 FIREMEN DISABILITY PAYMENTS
(RE-REF COM ON APPROP)(S 27) .. 55, 87, 258, 778, 852.
- H 947 LAW OFFICERS' 25-YEAR RETIREMENT
(REF TO COM ON PENS&RET) 349.

PUBLIC OFFICES—Con'd.

H 366	LGERS CREDITABLE SICK LEAVE (RATIFIED CH.0753)(S 543)	190, 258, 858, 878, 1183, 1199, 1244, 1247.
S 543	LGERS CREDITABLE SICK LEAVE (REF TO COM ON RULES&)(H 366)	1021.
S 290	LGERS EMPLOYER/EMPLOYEE DEFINED (REF TO COM ON RULES&)	1021.
H 380	LOCAL GOV'T RETIREE BENEFITS (RE-REF COM ON APPROP)	192, 561.
H 420	OMNIBUS TECHNICAL AMENDMENTS (RATIFIED CH.0636) 201, 594, 664, 1002, 1122, 1127, 1147.	
S 289	REMOVE DISABILITY AGE LIMIT (REF TO COM ON RULES&)	1021.
H 1058	STATE ETHICS CODE-2 (REF TO COM ON JUDICIII) .	370.
H 367	TEACHERS' & STATE EMPLOYEES RETIREMENT SYSTEM/LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM LATE PAYMENT PENALTY (RATIFIED CH.0585)	190, 258, 282, 1081, 1093, 1104.

PUBLIC RECORDS

H 612	LAW ENFORCEMENT PAY CONTINUATION (RE- REF COM ON APPROP)	245, 802, 853.
S 109	MODIFY TAX SECRECY PROVISION (REF TO COM ON JUDICII)	129.

PUBLIC WORKS

H 1058	STATE ETHICS CODE-2 (REF TO COM ON JUDICIII) .	370.
--------	--	------

-R-

RAMSEY, LISTON B.

BILLS INTRODUCED - see APPENDIX	
COMMITTEE ASSIGNMENTS - see APPENDIX	
CONFEREE: H 1287, S 108	
EXCUSED FROM VOTING: H 1009	697.
OATH	9.

RANDOLPH COUNTY

H 63	BURKE/RANDOLPH/SAMPSON PRIVATE ROADS (RATIFIED CH.0009)(S 63)	66, 97, 106, 110, 113, 144.
H 653	RANDOLPH TAX COMMISSION (RATIFIED CH.0211)	264, 390, 653, 692, 790.
S 628	ASHEBORO CHARTER AMENDED (RATIFIED CH.0233)	657, 787, 806, 811.
S 530	REPEAL FOX HUNTING SUNSET (RATIFIED CH.0483)	531, 545, 935, 999, 1046.

READING CLERK - see BURROW, SAM J., JR.**REALTORS**

H 1030	CHIMNEY SWEEP ACT (REF TO COM ON STATGOVT)	360.
--------	--	------

REDISTRICTING - also see individual counties

S	486	ALEXANDER SCHOOL REDISTRICTING (RATIFIED CH.0253)	689, 814, 826, 835.
H	611	ALEXANDER/GUILFORD SCHOOL ELECTIONS (RATIFIED CH.0695) 245, 305, 324, 1093, 1150, 1197, 1210.	
S	139	BESSEMER CITY WARDS (RATIFIED CH.0293)	168, 843, 861, 875.
H	630	BRUNSWICK REDISTRICTING (Senate)	254, 843, 873.
S	16	CONGRESSIONAL REDISTRICTING-1 (RATIFIED CH.0601)	937, 942, 960, 973, 983, 1012, 1055, 1064, 1099, 1101, 1114.
H	1301	CONGRESSIONAL REDISTRICTING-2 (REF TO COM ON CONGREDI)	847.
H	1310	CONGRESSIONAL REDISTRICTING-3 (REF TO COM ON CONGREDI)	1099, 1114.
S	250	EDUCATION GOVERNANCE CHANGES (REF TO COM ON RULES&)	1077.
H	637	GUILFORD COMM'RS RESTRUCTURED (RATIFIED CH.0136)	255, 410, 452, 483, 502, 738.
H	1303	HOUSE REDISTRICTING (RATIFIED CH.0675)	869, 1133, 1140, 1153, 1194.
H	1311	HOUSE REDISTRICTING-2 (REF TO COM ON LEGIREDI)	1123.
H	1309	JUDICIAL DISTRICT BOUNDARIES (RATIFIED CH.0746)	1084, 1133, 1191, 1233, 1238.
H	689	MADISON COUNTY SCHOOL ELECTIONS (RATIFIED CH.0249)	274, 410, 441, 451, 799, 813, 826.
H	1240	PRECINCT CHANGE AMENDMENTS (RE-REF COM ON APPROP)	605, 843.
S	910	PRECINCT CHANGE AMENDMENTS (REF TO COM ON LEGIREDI)	1232.
H	963	REALIGN RESIDENCY DISTRICTS (Senate) 352, 843, 863, 884.	
H	702	ROBESON LOCAL REDISTRICTING (RATIFIED CH.0500)	276, 814, 826, 1048.
H	701	ROBESON SCHOOL BOARD (RATIFIED CH.0614)	276, 457, 484, 1085, 1101, 1115.
S	225	SCHOOL BOARD REDISTRICTING (RATIFIED CH.0400)	298, 843, 927, 966.
S	17	SENATE REDISTRICTING (RATIFIED CH.0676)	1084, 1176, 1194.
S	9	SUP'T CHAIR STATE EDUC. BOARD-1 (Senate)	654, 996, 1208, 1228, 1229, 1239, 1246, 1252.
H	77	SUP'T CHAIR STATE EDUC. BOARD-2 (RE-REF COM ON APPROP)	70, 592, 635, 661, 701.
H	929	TECHNICAL CORRECTIONS (RATIFIED CH.0761)	347, 527, 588, 1234, 1242, 1246, 1253, 1254, 1255.
H	776	W-S/FORSYTH SCHOOL ELECTIONS (RATIFIED CH.0696)	291, 1101, 1141, 1152, 1183, 1197, 1210.
H	607	WILLIAMSTON ELECTION METHOD (RATIFIED CH.0374)	244, 304, 323, 887, 919, 938, 944.

REDWINE, E. DAVID

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFEREE: H 587, H 1287, S 688

ESCORT FOR PRINCESS OF

NORTH CAROLINA AZALEA FESTIVAL 152.

EXCUSED ABSENCES 97.

OATH 9.

PRESENTS PETITION 456.

REGISTER OF DEEDS

- S 935 INCREASE MARRIAGE LICENSE FEES
 (RATIFIED CH.0693) .. 1078, 1135, 1158, 1177, 1188, 1210.
- H 1232 LRC STUDY REGISTER OF DEEDS
 (REF TO COM ON RULES&) 604.
- H 850 MINIMUM LAND RECORDS STANDARDS
 (RATIFIED CH.0697) 320, 638, 684, 1183, 1199, 1210.
- H 420 OMNIBUS TECHNICAL AMENDMENTS
 (RATIFIED CH.0636) 201, 594, 664, 1002, 1122, 1127, 1147.
- H 1177 RAISE REGISTER OF DEEDS FEES
 (REF TO COM ON FINANCE) 549.
- H 849 RECORD SEPARATE INSTRUMENTS
 (RATIFIED CH.0114) 320, 446, 473, 488, 730.
- H 206 REG.OF DEEDS VACANCIES, TERMS
 (RATIFIED CH.0060) 112, 174, 186, 404, 417, 439.
- H 851 REGISTER OF DEEDS INSURANCE
 (RATIFIED CH.0470) 320, 395, 475, 519,
 562, 641, 982, 1009, 1025.
- H 414 REGISTER OF DEEDS PENSION CHANGE
 (RATIFIED CH.0443)(S 351) 200, 663, 850, 867, 1006.
- H 365 REGISTER OF DEEDS PENSION PAYDAY
 (RATIFIED CH.0050) 190, 258, 281, 384.

RENOUNCE TRANSFER

- S 392 RENUNCIATION OF FUTURE INTEREST
 (RATIFIED CH.0744) 428, 1143, 1229, 1238.

REPUBLICAN CAUCUS LEADERS ANNOUNCED 41.

RHODES, FRANK E.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFEREE: S 649

EXCUSED ABSENCES 67, 89, 93, 181, 186, 198,
 222, 344, 492, 599, 749, 764, 775, 781,
 787, 797, 810, 821, 934, 1001, 1084, 1193.

OATH 9.

RHYNE, JOHNATHAN L., JR.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFEREE: H 89, H 190, H 1073

ESCORT FOR CHIEF JUSTICE 92, 102.

ESCORT FOR U.S.A. ALL AMERICAN ACADEMIC STUDENTS . 262.

EXCUSED FROM VOTING: H 1008 645.

H 1009 697, 721.

H 1222 914, 925.

MINORITY LEADER 41.

NOMINATED SPEAKER 13.

OATH 9.

POINT OF PERSONAL PRIVILEGE 33.

RICHMOND COUNTY

H 1160 BEAR LICENSE REPEAL/RESTRICT FISHING

(RATIFIED CH.0671) 513, 536, 651, 703,
869, 963, 1014, 1033, 1193.

H 263 LOCAL SOLID WASTE CONTACTS

(RATIFIED CH.0029) 142, 145, 154, 199.

H 647 RICHMOND BLANK BILL (REF TO COM ON RULES&) . 263.

H 646 RICHMOND, SCOTLAND BLANK BILL

(REF TO COM ON RULES&) 263.

H 794 SAMPSON/RICHMOND SCHOOL LEASES

(RATIFIED CH.0533) 293, 447, 471, 1038, 1042, 1070.

RIVERS

S 330 STREAM OBSTRUCTION ENFORCEMENT

(RATIFIED CH.0152) 466, 715, 734, 747, 753.

ROADS & HIGHWAYS

H 1009 AMORTIZATION MORATORIUM/SIGN FEE INCREASE

(RE-REF COM ON RULES&) 358, 667, 695,
697, 712, 721, 918.

S 253 DOT BID MANAGEMENT ANALYSIS

(RATIFIED CH.0716) 465, 1150, 1217, 1235.

H 261 DOT CONDEMNATION STUDY

(RE-REF COM ON APPROP) 142, 764.

H 282 DOT CONTRACT PARTICIPATION SUNSET

(RATIFIED CH.0272) 157, 477, 519, 536, 848.

S 274 DOT SURPLUS RIGHT-OF-WAY SALES

(RE- REF COM ON TRANSPOR) ... 678, 1112, 1140, 1217.

H 1019 EXPAND AMTRAK SERVICES BLANK

(REF TO COM ON RULES&) 359.

H 111 HIGHWAY PARTICIPATION SUNSET OFF

(RATIFIED CH.0021) 77, 112, 114, 124, 196.

H 8 HIGHWAY TRUST FUND TECH. CHANGES

(RATIFIED CH.0193) 46, 85, 135, 143,
148, 428, 441, 477, 555, 571, 759, 769, 783.

S 269 HIGHWAY-FUND REIMBURSEMENT

(RATIFIED CH.0280) 689, 837, 854, 859.

H 1008 I-40 SCENIC/MEMORIAL HIGHWAY-2

(FAILED 2ND READING) 357, 496, 585, 645.

H 451 NO REAL ESTATE LICENSE DOT AGENT

(REF TO COM ON TRANSPOR) 205.

H 318 OUTDOOR ADVERTISING FEES INCREASED

(REPTD TO FINANCE) 166, 528, 750.

ROADS & HIGHWAYS—Con'd.

H 988	PROTECT WOODPECKER HABITAT (ASSIGNED TO TRAN-HWY)	355, 438.
H 1054	PUBLIC TRANSPORTATION SERVICES (ASSIGNED TO TRAN-PUB)	370, 496.
H 281	RAIL CORRIDOR PURCHASE (RATIFIED CH.0673)	157, 580, 621, 1022, 1054, 1079, 1159, 1178, 1194.
H 57	RAILROAD ADVISORY COMMISSION (RE-REF COM ON RULES&)(S 86)	64, 249, 438, 587, 647, 661, 1184.
H 601	RAILROAD CORRIDOR INTERIM USE (RATIFIED CH.0751)	240, 413, 580, 644, 1183, 1198, 1222, 1230, 1240, 1245.
H 1024	RAILROAD OPERATIONS BLANK (REF TO COM ON RULES&)	359.
S 50	SENATE PRESIDENT APPOINTMENTS-1 (RATIFIED CH.0003)	101, 114, 123, 127.
H 1098	TOLL ROADS AUTHORITY (RE-REF COM ON RULES&)	400, 495, 643, 858.
H 516	UNIFORM TRAFFIC CONTROL DEVICES (RATIFIED CH.0530)	213, 580, 621, 668, 1003, 1028, 1043, 1070.

ROBESON COUNTY

H 684	ECONOMIC DEVELOPMENT CONSIDERATION (RATIFIED CH.0659)	274, 493, 534, 1077, 1112, 1123, 1142, 1175.
H 814	ROBESON BLANK (REF TO COM ON RULES&)	296.
H 702	ROBESON LOCAL REDISTRICTING (RATIFIED CH.0500)	276, 814, 826, 1048.
H 701	ROBESON SCHOOL BOARD (RATIFIED CH.0614)	276, 457, 484, 1085, 1101, 1115.
H 326	ROWLAND OCCUPANCY TAX (RATIFIED CH.0154)	167, 188, 230, 241, 753.
H 812	ST. PAULS CHARTER BLANK (REF TO COM ON RULES&)	296.
S 638	LOCAL ECONOMIC DEVELOPMENT (REF TO COM ON RULES&)	679.
S 44	ROBESON DETENTION EXEMPTION (RATIFIED CH.0002)	88, 93.
S 620	ROBESON SCHOOL FUNDING (RATIFIED CH.0364)	770, 866, 885, 909, 924, 943.

ROBINSON, GEORGE S.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFEREE: H 83, S 930

EXCUSED ABSENCES

65, 67, 243, 258, 284, 304,
314, 409, 424, 702, 725, 821, 1210, 1234.

EXCUSED FROM VOTING: H 163

OATH

9.

ROCKINGHAM COUNTY

H 591	ROCKINGHAM OCCUPANCY TAX (Senate)(S 469)	238, 379, 447, 468, 482, 500.
S 178	MADISON WATER/SEWER BIDS (RATIFIED CH.0008)	113, 131, 138, 144.

ROCKINGHAM COUNTY—Con'd.

- S 611 NASH/EDEN ABC CREDIT SALES
(RATIFIED CH.0171) 657, 742, 757, 770.
S 469 ROCKINGHAM OCCUPANCY TAX
(RATIFIED CH.0322)(H 591) 405, 857, 878, 890, 905.

ROGERS, RICHARD EUGENE

- BILLS INTRODUCED - see APPENDIX
COMMITTEE ASSIGNMENTS - see APPENDIX
CONFEREE: H 494
EXCUSED ABSENCES 1038.
OATH 9.

ROWAN COUNTY

- H 684 ECONOMIC DEVELOPMENT CONSIDERATION
(RATIFIED CH.0659) 274, 493, 534, 1077,
1112, 1123, 1142, 1175.
H 691 SALISBURY FIREMEN'S FUND
(RATIFIED CH.0259) 275, 552, 619, 633, 836.

RULES OF CIVIL PROCEDURE

- S 419 FILE BY FAX RULES (RATIFIED CH.0168) 268, 744, 762, 770.
H 940 JURY INSTRUCTION/MULTIPLE DAMAGES
(REF TO COM ON JUDICII) 349.
H 928 NO BOND FOR CERTAIN ACTIONS
(RATIFIED CH.0278) 347, 497, 538, 789, 824, 837, 848.
H 484 RULINGS ON NO CONTEST MOTIONS
(REF TO COM ON JUDICII) 209.
S 627 RULINGS ON NO CONTEST MOTIONS
(REF TO COM ON COURTS&) 699.
H 941 SERVICE PROCESS CHANGE
(REF TO COM ON JUDICII) 349.

RULES, HOUSE OF REPRESENTATIVES

- AMENDMENT #10 PLACED ON
CALENDAR FOR 10TH LEGISLATIVE DAY 26, 68.
DEADLINES EXTENDED 197, 341, 593.
PERMANENT RULES--ADOPTED (HR 101) 74, 299, 309.
PERMANENT RULES--SUSPENSION OF 772, 864, 940,
1019, 1098, 1204, 1206.
TEMPORARY RULES ADOPTED 26.
TEMPORARY RULES, AS AMENDED, ADOPTED 48, 56, 78.

RUSSELL, CAROLYN B.

- BILLS INTRODUCED - see APPENDIX
COMMITTEE ASSIGNMENTS - see APPENDIX
ESCORT FOR GOVERNOR 41, 44.
ESCORT FOR PRISONERS OF WAR
(OPERATION DESERT STORM) 731.
OATH 9.

RUTHERFORD COUNTY

- H 985 CITY REQUIRE GARBAGE SERVICE-2
(RATIFIED CH.0698) 354, 661, 686, 856,
900, 912, 1204, 1210.
H 642 INCORPORATE CHIMNEY ROCK VILLAGE
(RATIFIED CH.0444) 263, 446, 526, 553, 573, 1007.
S 585 DURHAM ASSESSMENTS/LOCAL ROOM TAXES
(RATIFIED CH.0577) 467, 710, 963, 1034, 1051, 1103.

-S-

SALARIES & FEES

- S 458 CONTROLLER TECHNICAL CHANGES
(RATIFIED CH.0542) 689, 935, 1059, 1089.

SAMPSON COUNTY

- H 797 AUTRYVILLE CHARTER REVISED
(RATIFIED CH.0384) 294, 461, 485, 945.
H 63 BURKE/RANDOLPH/SAMPSON PRIVATE ROADS
(RATIFIED CH.0009)(S 63) 66, 97, 106, 110, 113, 144.
H 796 PENDER/SAMPSON VACANCIES
(RATIFIED CH.0558) 294, 411, 435, 937,
946, 964, 1063, 1065, 1091.
S 530 REPEAL FOX HUNTING SUNSET
(RATIFIED CH.0483) 531, 545, 935, 999, 1046.
H 1298 SAMPSON COMMISSIONERS
(RATIFIED CH.0600) 800, 843, 861, 1105.
H 799 SAMPSON DISPOSAL FEES
(REPTD TO FINANCE) 294, 381, 582.
H 4 SAMPSON GAS LINES (RATIFIED CH.0013)42, 131, 138, 168.
H 798 SAMPSON ROAD HUNTING
(RATIFIED CH.0141) 294, 461, 485, 738.
H 795 SAMPSON/BLADEN ELECTROFISHING
(RATIFIED CH.0140) 294, 565, 632, 738.
H 794 SAMPSON/RICHMOND SCHOOL LEASES
(RATIFIED CH.0533) 293, 447, 471, 1038, 1042, 1070.

SANITARIANS

- S 450 WATER POLLUTION CONTROL OPERATORS
(RATIFIED CH.0623) 982, 1039, 1109, 1118, 1128.
S 412 WATER TREATMENT OPERATORS AMENDS
(RATIFIED CH.0321) 499, 857, 882, 897, 905.

SAVINGS & LOAN

- H 696 FINANCIAL INSTITUTIONS STUDY
(REF TO COM ON RULES&) 275.
S 41 SAVINGS & LOAN TECHNICAL CHANGES
(RATIFIED CH.0707) 137, 767, 846, 1102, 1215, 1235.
S 91 SAVINGS BANK ACT
(RATIFIED CH.0680) 718, 768, 1082, 1134, 1157, 1169, 1194.

SCOTLAND COUNTY

- H 88 LAURINBURG ZONING NOTICES
(RATIFIED CH.0006) 72, 94, 101, 127.
H 646 RICHMOND, SCOTLAND BLANK BILL
(REF TO COM ON RULES&) 263.
H 815 SCOTLAND BLANK (REF TO COM ON RULES&) 296.
S 530 REPEAL FOX HUNTING SUNSET
(RATIFIED CH.0483) 531, 545, 935, 999, 1046.

SECURITIES

- S 245 ENHANCE SECURITIES ENFORCEMENT
(RATIFIED CH.0456)(H 535) 268, 885, 974, 1023.
H 535 ENHANCE SECURITIES ENFORCEMENT
(REF TO COM ON JUDICII)(S 245) 216.
H 443 FRANCHISE INVESTMENT STUDY
(RE-REF COM ON APPROP) 204, 642.

SENATE OFFICERS 40.

SERGEANT AT ARMS - see EAGLES, LARRY P.

SHERIFF

- H 1044 HOUSING OF SAFEKEEPERS
(RATIFIED CH.0535) 368, 424, 444, 1070.
- H 258 PRISONERS WORK FOR COUNTIES
(REF TO COM ON JUDICI)(H 259) 141.
- H 259 PRISONERS WORK FOR COUNTIES
(REF TO COM ON JUDICI)(H 258) 141.
- H 1043 SAFEKEEPER MEDICAL COSTS
(REF TO COM ON APPROP) 368.
- H 575 SCHOLARSHIPS, VETERANS' CHILDREN
(Senate) 225, 317, 651, 686.

SHERIFF TRAINING

- H 1100 LAW OFFICER DISCIPLINE (REF TO COM ON JUDICIII) 400.
- S 422 SHERIFFS' COMMISSION CHANGES
(RATIFIED CH.0265) 499, 829, 841, 847.

SMITH, RONALD L.

- BILLS INTRODUCED - see APPENDIX
- COMMITTEE ASSIGNMENTS - see APPENDIX
- CONFeree: H 659
- ESCORT FOR PRISONERS OF WAR
(OPERATION DESERT STORM) 731.
- EXCUSED ABSENCES 543, 565, 599, 648, 1020, 1038.
- OATH 9.

SOCIAL SERVICES

- H 860 DOMICILIARY CARE ELIGIBILITY
(RE-REF COM ON APPROP) 321, 432, 649, 735.
- H 440 DSS REPRESENTATIVES
(RATIFIED CH.0258) 204, 252, 578, 643, 810, 824, 836.
- H 1215 INCREASE MEDICAID REIMBURSEMENT
(REF TO COM ON HUMRES)(S 908) 601.
- H 372 MED. ASSISTANCE THERAPEUTIC LEAVE
(RATIFIED CH.0126) 191, 252, 496, 524, 558, 587, 737.
- H 996 MEDICAID STATE/FEDERAL COORD.
(RATIFIED CH.0388)(S 737) 356, 565, 620, 796,
802, 820, 931, 937, 945.
- H 373 MEDICARE ELIGIBILITY CHANGE
(RATIFIED CH.0127) 191, 252, 496, 537, 737.
- H 226 ONE CENT LOCAL SALES TAX
(REF TO COM ON FINANCE) 124.
- H 180 RAISE FELONY AMOUNTS
(RATIFIED CH.0523) 100, 140, 148, 1021, 1044, 1069.

SOCIAL WORKERS

- S 694 SOCIAL WORKER CERTIFICATION
(RATIFIED CH.0732)(H 880) . 1078, 1135, 1162, 1218, 1236.
- H 880 SOCIAL WORKER CERTIFICATION
(RE-REF COM ON FINANCE)(S 694) 333, 433, 1058, 1075.

SOIL & WATER DISTRICT

- H 990 SOIL/WATER DISTRICT AUDIT
(ASSIGNED TO ENV-WAT&) 355, 382.

SPEAKER OF THE HOUSE - see BLUE, DANIEL T., JR.

SPEAKER PRO TEMPORE - see COLTON, MARIE W.

STAMEY, MARGARET

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFeree: H 64, H 89, H 281, H 734, S 649 (Co-Chairman), S 688

ESCORT FOR SPEAKER 22.

EXCUSED ABSENCES 227, 235, 424, 742, 842, 917, 961.

OATH 9.

STANLY COUNTY

H 1160 BEAR LICENSE REPEAL/RESTRICT FISHING
(RATIFIED CH.0671) 513, 536, 651, 703,
869, 963, 1014, 1033, 1193.

H 800 NORWOOD CORPORATE LIMITS
(RATIFIED CH.0468) 294, 461, 527, 554, 574, 1024.

H 233 STANLY AIRPORT AUTHORITY
(RATIFIED CH.0583) . 125, 145, 152, 171, 1076, 1087, 1104.

H 801 STANLY SUBDIVISIONS
(RATIFIED CH.0504) 294, 565, 633, 1003, 1026, 1048.

STATE AGENCIES

H 1208 AGENCIES PROVIDE BUDGET INFO.
(REF TO COM ON APPROP) 600.

H 981 AIR EMISSION PERMIT HEARING
(ASSIGNED TO ENV-WAT&) 354, 382.

H 924 AIR PERMITS/LOCAL ORDINANCES
(RATIFIED CH.0629) . 346, 382, 547, 618, 1100, 1117, 1129.

S 81 ALZHEIMER'S SPECIAL CARE UNITS
(POSTPONED INDEFINITELY)(H 75) 699, 821, 832.

H 75 ALZHEIMER'S SPECIAL CARE UNITS
(RATIFIED CH.0222)(S 81) 68, 109, 145, 154, 801.

S 348 AMEND STATE AUDITOR'S DUTIES
(REF TO COM ON STATGOVT) 465.

H 231 ARSENIC PESTICIDES STUDY
(RE-REF COM ON RULES&) 125, 619, 712, 787, 858.

H 1108 BATHROOM EQUITY ACT-2
(RATIFIED CH.0515) 401, 513, 640, 650,
685, 1005, 1030, 1049.

H 641 BID LIMITS/ALAMANCE COURTHOUSE
(Senate) 263, 552, 575, 1077, 1080.

H 1260 CHILD PROTECTION ACT (REF TO COM ON APPROP) 607.

S 828 CLARIFY STATE CLAIMS ASSIGNMENT
(RATIFIED CH.0688) 699, 706, 962, 1120, 1129,
1159, 1179, 1181, 1182, 1195.

H 551 CLEAN AIR ACT IMPLEMENTED
(RATIFIED CH.0552) 218, 223, 494, 794,
806, 815, 1077, 1090.

S 788 CLEAN AIR DEMONSTRATION
(RATIFIED CH.0738) 654, 856, 929, 938,
996, 1050, 1198, 1237.

H 1074 COMMERCIAL TANK DEFINITION
(ASSIGNED TO ENV-WAT&)(S 795) 383, 449.

H 36 CONSTRUCTION AUDIT FOLLOW-UP
(Senate) 60, 249, 285, 486, 520.

STATE AGENCIES—Con'd.

S 458	CONTROLLER TECHNICAL CHANGES (RATIFIED CH.0542)	689, 935, 1059, 1089.
H 1115	CREATE DIV'N OF ADULT SERVICES (REF TO COM ON APPROP)	402.
H 459	EMPLOYMENT AND TRAINING PROGRAM (REF TO COM ON APPROP)(S 421)	206.
H 1124	ENVIRONMENT TECH. CORRECTIONS (RATIFIED CH.0342)(S 802)	403, 449, 547, 619, 907.
H 886	ENVIRONMENTAL FEES BLANK (REF TO COM ON RULES&)	333.
H 559	FIRE INSPECTOR TECH. AMEND (RATIFIED CH.0133)	219, 318, 426, 444, 738.
S 337	FIRE INSPECTOR TECH. AMEND (REF TO COM ON PUBEMP)	428.
H 714	FIRE/RESCUE SQUAD PURCHASING (RATIFIED CH.0199)	278, 318, 426, 506, 540, 557, 588, 783.
S 273	FIREMEN'S ASSOCIATION AMENDMENTS (RATIFIED CH.0420)	617, 886, 960, 973, 984.
H 14	GA OPEN MEETINGS (RATIFIED CH.0694) ...	47, 86, 660, 686, 1183, 1199, 1210.
S 213	HAMMOCKS BEACH PARCEL REMOVED (RATIFIED CH.0318)	268, 767, 858, 883, 898, 905.
S 451	IMPROVE ENVIRONMENTAL ENFORCEMENT (RATIFIED CH.0725)	694, 766, 1136, 1216, 1236.
H 1281	INCREASE DAM SAFETY (REF TO COM ON APPROP) .	610.
S 705	INCREASED BID LIMITS (REF TO COM ON STATGOVT)	618.
H 547	INDEMNIFY TAX OFFICIAL (RATIFIED CH.0674)	218, 305, 341, 1194.
H 899	LAW ENFORCEMENT DEATH BENEFIT (RE-REF COM ON APPROP)	335, 715.
S 350	LIBRARY/HISTORY MUSEUM OPERATIONS (RATIFIED CH.0757)	466, 766, 819, 1006, 1197, 1245, 1248, 1251, 1255.
H 1091	LICENSING BOARDS UNDER BUDGET (RE-REF COM ON FINANCE)	399, 506.
H 1094	MEDICAL MALPRACTICE, PRISONERS (REF TO COM ON JUDICII)	399.
H 850	MINIMUM LAND RECORDS STANDARDS (RATIFIED CH.0697)	320, 638, 684, 1183, 1199, 1210.
S 386	NC MAY EXCEED U.S. AIR/WATER REGS.-1 (RATIFIED CH.0403)(H 589) .	698, 706, 766, 866, 931, 966.
H 589	NC MAY EXCEED U.S. AIR/WATER REGS.-2 (ASSIGNED TO ENV-WAT&)(S 386)	228, 237.
S 800	NEW EDUCATION BUILDING SPACE (REF TO COM ON STATGOVT)	532.
H 1120	NO NET LOSS OF WETLANDS (ASSIGNED TO ENV-WAT&)	403, 449.
H 667	NONSURFACE DISCHARGE NOTICE (RATIFIED CH.0498) .	266, 272, 528, 594, 1003, 1029, 1047.
H 520	OIL SPILL CLEANUP LIABILITY (RATIFIED CH.0432)	214, 445, 488, 504, 921, 949, 968, 985.
H 420	OMNIBUS TECHNICAL AMENDMENTS (RATIFIED CH.0636)	201, 594, 664, 1002, 1122, 1127, 1147.
H 6	OPEN GOV'T COMM'N APPOINTMENTS (RATIFIED CH.0755)	46, 590, 647, 668, 1254.

STATE AGENCIES—Con'd.

H 882	OPEN MEETINGS AMENDMENTS (REF TO COM ON JUDICII)	333.
H 1128	OPEN MEETINGS AMENDMENTS-2 (REF TO COM ON JUDICII)	404.
H 467	PESTICIDE APPLICATOR DEFINITION (RATIFIED CH.0087)	207, 232, 259, 282, 658.
H 992	PREQUALIFY PUBLIC CONTRACTS (POSTPONED INDEFINITELY)	355, 492.
H 191	PUBLIC CONTRACT FULL INCLUSION-2 (REF TO COM ON STATGOVT)	106.
H 149	REGULATE PUBLIC SMOKING (Senate)(S 126)	84, 284, 324.
H 1277	REMEDY CERTAIN WATER WITHDRAWALS (ASSIGNED TO ENV-WAT&)	610, 786, 791.
H 43	REPAIR BUDGET ITEM (REF TO COM ON APPROP)(S 53)	61.
S 102	REST HOME REGULATION REPORT (RATIFIED CH.0041)	168, 180, 318, 343, 367.
H 198	RESTRUCTURE BUDGET PROCESS-2 (REF TO COM ON APPROP)	108.
H 1053	SCHOOL EMPLOYEE DUES DEDUCTION (Senate)	370, 460, 505, 518.
H 885	SOLID WASTE REDUCTION BLANK (REF TO COM ON RULES&)	333.
H 883	STATE BUDGET HEARINGS (REF TO COM ON JUDICII)	333.
H 891	STATE BUILDING COMM'N MEMBERS (RATIFIED CH.0314)	334, 558, 599, 889.
S 812	STATE BUY RECYCLED GOODS (REF TO COM ON RULES&)	1086.
H 122	STATE DAY CARE ENCOURAGEMENT (RATIFIED CH.0345)	80, 110, 454, 490, 887, 908, 923.
H 186	STATE DOCUMENTS, ALKALINE PAPER (RATIFIED CH.0224)	105, 250, 426, 444, 801.
S 241	STATE GAMES CARS (RATIFIED CH.0294)	465, 855, 860, 875.
H 1020	STATE TO USE EFFICIENT LIGHTING (REF TO COM ON ENVIRONM)(S 728)	359.
S 306	SURPLUS PROPERTY CHANGES (RATIFIED CH.0358)	309, 855, 929, 943.
H 929	TECHNICAL CORRECTIONS (RATIFIED CH.0761)	347, 527, 588, 1234, 1242, 1246, 1253, 1254, 1255.
H 1004	TRANSFER LAND RECORDS MGT. (RE-REF COM ON APPROP)	357, 726.
S 703	TRAVEL & TOURISM POLICY ACT (RATIFIED CH.0144)	550, 567, 727, 741, 743.
H 571	UNC FISCAL RESPONSIBILITY (REF TO COM ON RULES&)	221.
H 1222	UNDERGROUND STORAGE TANK AMENDS (RATIFIED CH.0538)	602, 853, 875, 914, 925, 1070.
H 364	VOCATIONAL REHAB. VEHICLES (Senate) ...	190, 962, 999.
H 344	WATER POLLUTION PERMIT AMENDMENTS (RATIFIED CH.0156)	182, 187, 437, 474, 486, 753.
S 84	WATER PROJECTS PLAN (RATIFIED CH.0181)(H 124) .	698, 705, 727, 751, 774, 782.

STATE AGENCIES—Con'd.

- H 124 WATER PROJECTS PLAN
(RATIFIED CH.0579)(S 84) 80, 98, 625, 665,
1076, 1088, 1103.
- H 128 WATER RESOURCES IN BUDGET
(REF TO COM ON APPROP)(S 154) 81.
- H 125 WATER TRANSFER PERMITS
(ASSIGNED TO ENV-WAT&)(S 129) 80, 98.
- S 943 WATER TRANSFER REGISTRATION
(RATIFIED CH.0712) 1100, 1111, 1116,
1135, 1171, 1201, 1235.
- S 802 WATER WITHDRAWAL REMEDIES
(RATIFIED CH.0567)(H1124) 551, 766, 903,
978, 1064, 1083, 1085, 1091.
- H 422 WATER/AIR WASTE DEFINITION
(RATIFIED CH.0287) 201, 231, 463, 507, 860.
- S 448 WATERSHED PROGRAM AMENDMENTS
(REF TO COM ON RULES&) 677.
- H 873 WATERSHED PROTECTION DEADLINE
(RATIFIED CH.0471) .. 332, 382, 547, 598, 982, 1009, 1025.

STATE AWARDS

- H 441 STATE AWARDS SYSTEM
(RATIFIED CH.0131) 204, 587, 624, 738.

STATE FLAG, MOTTO

- S 413 STATE FLAG DESCRIPTION
(RATIFIED CH.0361) 467, 767, 845, 928, 943.

STATE FLOWER, BIRD

- S 506 ADOPT STATE MILITARY ACADEMY
(RATIFIED CH.0728) 617, 1113, 1215, 1236.
- H 59 MAKE CLOGGING STATE DANCE
(REF TO COM ON RULES&)(S 82) 65.
- H 932 OFFICIAL STATE TARTAN
(RATIFIED CH.0085)(S 713) 347, 506, 540, 632.

STATE LANDS

- H 321 DOT APPRAISAL EXEMPTION
(RATIFIED CH.0094) 166, 187, 261, 302, 312, 711.
- S 349 SALES OF EASEMENTS TO FILL
(REF TO COM ON STATGOVT) 405.

STATE LOTTERY

- H 15 STATE LOTTERY REFERENDUM-1
(RE-REF COM ON FINANCE)(S 2) 47, 86, 903, 1000.
- S 2 STATE LOTTERY REFERENDUM-1
(REF TO COM ON FINANCE)(H 15) 1014.
- H 21 STATE LOTTERY REFERENDUM-2
(REF TO COM ON COURTS&) 53.

STATE OFFICERS

- S 348 AMEND STATE AUDITOR'S DUTIES
(REF TO COM ON STATGOVT) 465.
- H 388 ATT'Y GENERAL DEBT COLLECTION
(RATIFIED CH.0095) 193, 380, 408, 711.
- S 458 CONTROLLER TECHNICAL CHANGES
(RATIFIED CH.0542) 689, 935, 1059, 1089.

STATE OFFICERS—Con'd.

S	250	EDUCATION GOVERNANCE CHANGES (REF TO COM ON RULES&)	1077.
H	246	EQUITY INVESTMENT COMMITTEE (REPTD TO STATGOVT)	137, 250, 329.
H	341	HORSE RACING STUDY-2 (RE-REF COM ON APPROP)	176, 629.
S	155	IMPROVE APA RULE-MAKING PROCESS (RATIFIED CH.0418)(H 130) .	678, 799, 875, 914, 925, 984.
H	130	IMPROVE APA RULE-MAKING PROCESS (REF TO COM ON JUDICII)(S 155)	81.
H	1091	LICENSING BOARDS UNDER BUDGET (RE-REF COM ON FINANCE)	399, 506.
H	371	SEC. OF STATE FEE INCREASE (RATIFIED CH.0429)	191, 306, 339, 362, 984.
H	15	STATE LOTTERY REFERENDUM-1 (RE-REF COM ON FINANCE)(S 2)	47, 86, 903, 1000.
S	2	STATE LOTTERY REFERENDUM-1 (REF TO COM ON FINANCE)(H 15)	1014.
S	312	TEACHERS DEFERRED COMPENSATION (RATIFIED CH.0389)	655, 750, 775, 853, 929, 948, 954.
H	1004	TRANSFER LAND RECORDS MGT. (RE-REF COM ON APPROP)	357, 726.

STATE PERSONNEL

S	425	"JUST CAUSE" DEFINED BY RULE (RATIFIED CH.0722)	467, 1131, 1143, 1217, 1236.
H	953	AREA AUTHORITY SPA EXEMPTION (RATIFIED CH.0564) 350, 546, 597, 1004, 1029, 1067, 1091.	
S	122	CAREER EMPLOYEES UNDER SPA (RATIFIED CH.0354)	168, 844, 928, 943.
H	1079	CENTRALIZE STATE PERSONNEL (REF TO COM ON PUBEMP)	397.
H	549	CLARIFY PERSONNEL ACT SCOPE (REF TO COM ON PUBEMP)(S 439)	218.
H	569	COMMUNITY COLLEGE PERSONNEL (RATIFIED CH.0084)(S 262) .	221, 285, 396, 422, 454, 632.
H	109	CONTINUE PERSONNEL STUDY COMM'N (REF TO COM ON RULES&)(S 64)	77.
H	907	COST OF LIVING INCREASE PRIORITY (RE- REF COM ON APPROP)(S 761)	336, 546, 597.
H	1006	EQUAL OPPORTUNITY PROGRAM (Senate) ...	357, 629, 669.
H	958	PERSONNEL COMMISSION EXPANSION (REF TO COM ON STATGOVT)	351.
H	959	PERSONNEL SUPERVISORY TRAINING (RATIFIED CH.0416)	351, 629, 669, 905, 938, 954, 967.
H	837	POLITICAL PRESSURE/EMPLOYEES (RATIFIED CH.0505)	308, 642, 671, 1003, 1028, 1048.
H	942	REDUCTION IN FORCE PRIORITY (RATIFIED CH.0474)	349, 566, 636, 982, 1009, 1025.
H	1014	RESTORE CHRISTMAS HOLIDAY (RATIFIED CH.0750)(S 667)	358, 623, 962, 998, 1036, 1056, 1242, 1245.
H	943	RETIREMENT CREDIT UNUSED VACATION (REPTD UNFAV)	349, 750, 778, 853.
S	183	STATE COORDINATION/HOMELESS STUDY (RATIFIED CH.0399)	268, 855, 929, 966.

STATE PERSONNEL—Con'd.

H 509	STATE PERSONNEL LIABILITY STUDY (REF TO COM ON RULES&)	212.
S 10	STATE PERSONNEL TECHNICAL AMENDS (RATIFIED CH.0065)(H 110)	75, 366, 407, 421, 464.
H 110	STATE PERSONNEL TECHNICAL AMENDS (REF TO COM ON PUBEMP)(S 10)	77.
H 957	STATE SALARY INEQUITIES CORRECTED (RE- REF COM ON RULES&)	351, 907.
H 70	SUPPLEMENTAL PAY FOR MILITARY-1 (RE- REF COM ON APPROP)	67, 366.

STATE PERSONNEL COMMISSION

CONFIRMATION (HOUSE)	802, 1061.
CONFIRMATION (SENATE)	870, 1125.
GOVERNOR'S APPOINTMENT LETTERS	648, 934.

STATE PRISON

S 348	AMEND STATE AUDITOR'S DUTIES (REF TO COM ON STATGOVT)	465.
H 1045	AUDIT INMATE MEDICAL RECORDS (REF TO COM ON APPROP)	369.
S 155	IMPROVE APA RULE-MAKING PROCESS (RATIFIED CH.0418)(H 130) .	678, 799, 875, 914, 925, 984.
H 130	IMPROVE APA RULE-MAKING PROCESS (REF TO COM ON JUDICII)(S 155)	81.
H 716	INMATE INCENTIVE PAY (REF TO COM ON APPROP)	278.
H 867	LRC STUDY PRISON INMATE USE (REF TO COM ON RULES&)	331.
S 516	MENTAL HEALTH INMATE SERVICES (RATIFIED CH.0405)	689, 717, 798, 832, 840, 850, 883, 915, 927, 966.
H 1304	MODIFY PRISON CAP (RATIFIED CH.0437) ..	976, 978, 985.
S 314	PRISON INDUSTRY FUNDS (REF TO COM ON RULES&)	1041.

STATE RETIREMENT

H 98	28-YEAR RETIREMENT (RE-REF COM ON APPROP)	74, 757.
S 348	AMEND STATE AUDITOR'S DUTIES (REF TO COM ON STATGOVT)	465.
S 346	BUY OUT-OF-STATE RETIREMENT (REF TO COM ON RULES&)	1021.
H 235	CLARIFY LAW OFFICER RETIREMENT (RE- REF COM ON APPROP)	129, 852.
H 368	CLARIFY RETIREMENT DEFINITION (RATIFIED CH.0051)	190, 258, 282, 384.
S 230	DEATH BENEFIT DATE CHANGE (REF TO COM ON RULES&)	1065.
S 292	DISABILITY INCOME PLAN CHANGES (RE- REF COM ON APPROP)	1021, 1098, 1126.
H 279	HEALTH BENEFITS/HANDICAPPED (RATIFIED CH.0427)	156, 459, 504, 850, 884, 901, 915, 984.
H 947	LAW OFFICERS' 25-YEAR RETIREMENT (REF TO COM ON PENS&RET)	349.
H 1273	LEGISLATIVE RETIREMENT CREDIT (Senate)	609, 757, 962, 991, 1016, 1034, 1053.

STATE RETIREMENT—Con'd.

H 1066	LOWER PRESCRIPTION DRUG COSTS (REF TO COM ON PUBEMP)	371.
H 1211	LRC STUDY FIRE FIGHTERS PENSION (REF TO COM ON RULES&)	601.
H 999	PURCHASE MATERNITY LEAVE (Senate) 356, 561, 858, 878.	
S 289	REMOVE DISABILITY AGE LIMIT (REF TO COM ON RULES&)	1021.
S 270	REMOVE EDUCATIONAL LEAVE LIMIT (RATIFIED CH.0718)	1180, 1184, 1187, 1219, 1235.
H 943	RETIREMENT CREDIT UNUSED VACATION (REPTD UNFAV)	349, 750, 778, 853.
H 518	STATE HEALTH INS. CHANGES (RE-REF COM ON APPROP)	214, 459.
H 367	TEACHERS' & STATE EMPLOYEES RETIREMENT SYSTEM/LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM LATE PAYMENT PENALTY (RATIFIED CH.0585)	190, 258, 282, 1081, 1093, 1104.

STATE SONG & TOAST

S 87	COMPOSER-LAUREATE (RATIFIED CH.0056)	196, 394, 422, 439.
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STATEWIDE APPROPRIATIONS -**see APPROPRIATIONS, PUBLIC****STATUTE CONSTRUCTION**

S 155	IMPROVE APA RULE-MAKING PROCESS (RATIFIED CH.0418)(H 130) .	678, 799, 875, 914, 925, 984.
H 130	IMPROVE APA RULE-MAKING PROCESS (REF TO COM ON JUDICII)(S 155)	81.

STATUTORY LIENS

S 597	ATT'Y FEES STATUTORY LIENS (RE-REF COM ON JUDICI)	572, 1098, 1177.
S 690	ENFORCE LIEN FOR CAR REPAIRS (RATIFIED CH.0344)	658, 746, 775, 777, 797, 831,840, 922.
S 685	EXPAND NOTICE FOR LIEN ON CAR (RATIFIED CH.0731)	770, 949, 1135, 1216, 1236.
H 946	HOMEOWNER/CONDO ASS'N LIENS (REF TO COM ON JUDICIII)	349.
H 1035	MANUFACTURED HOUSING LIENS (REF TO COM ON JUDICII)	361.

STEWART, CLARENCE P.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFEREES: H 757

DELEGATION MEMBER TO ATTEND

SENATOR EZZELL'S FUNERAL

43.

DELEGATION MEMBER TO ATTEND FUNERAL OF

CARSON GREGORY, FORMER HOUSE MEMBER

93.

EXCUSED ABSENCES . 93, 117, 124, 127, 135, 155, 235, 344, 492, 934.

OATH

9.

STOKES COUNTY

- S 557 DANBURY COUNCIL TERMS
(RATIFIED CH.0169) 656, 742, 756, 770.
- S 260 INCORPORATE TOBACCOVILLE
(RATIFIED CH.0232) 415, 681, 749, 772, 777, 803, 811.
- S 530 REPEAL FOX HUNTING SUNSET
(RATIFIED CH.0483) 531, 545, 935, 999, 1046.

STUDIES

- H 1217 ABC PREMISES INSPECTION STUDY
(REF TO COM ON RULES&) 602.
- H 1167 AGRIC., FORESTRY, SEAFOOD STUDY
(REF TO COM ON RULES&) 529.
- H 1009 AMORTIZATION MORATORIUM/SIGN FEE INCREASE
(RE-REF COM ON RULES&) 358, 667, 695,
697, 712, 721, 918.
- H 231 ARSENIC PESTICIDES STUDY
(RE-REF COM ON RULES&) 125, 619, 712, 787, 858.
- H 580 BANK SOUNDNESS INFORMATION
(RE-REF COM ON RULES&) 227, 262, 1073.
- H 1084 COMMUNITY DEVELOPMENT LENDING STUDY
(RE-REF COM ON RULES&) 398, 514, 1061.
- H 1153 COMPUTER SERVICES STUDY
(REF TO COM ON RULES&) 497.
- H 177 CONTINUE DEPOSITORY INST. STUDY
(REF TO COM ON RULES&) 100.
- H 533 CONTINUE MENTAL HEALTH STUDY
(REF TO COM ON RULES&)(S 408) 216.
- S 408 CONTINUE MENTAL HEALTH STUDY
(REF TO COM ON RULES&)(H 533) 700.
- H 312 CONTINUE NURSING STUDY COMM'N
(REF TO COM ON RULES&)(S 276) 164.
- H 109 CONTINUE PERSONNEL STUDY COMM'N
(REF TO COM ON RULES&)(S 64) 77.
- H 7 CONTINUE REVENUE LAW STUDY
(RE-REF COM ON APPROP) 46, 85.
- H 173 CONTINUE SOCIAL SERVICES STUDY
(REF TO COM ON RULES&) 99.
- H 236 CONTINUE WETLANDS STUDY
(REF TO COM ON RULES&) 132.
- H 1193 DHR PHARMACY STUDY (REF TO COM ON APPROP) . 569.
- S 75 ECONOMIC FUTURE REPORT DATE
(REF TO COM ON RULES&) 101.
- H 555 EMPLOYMENT DISCRIMINATION STUDY
(RE- REF COM ON RULES&) 219, 224, 761, 843.
- H 1070 ENVIRONMENTAL POLICY STUDY
(REF TO COM ON RULES&) 382.
- H 1290 EXAMINE STATE BUDGETING PRACTICES
(REF TO COM ON RULES&) 692.
- H 696 FINANCIAL INSTITUTIONS STUDY
(REF TO COM ON RULES&) 275.
- H 443 FRANCHISE INVESTMENT STUDY
(RE-REF COM ON APPROP) 204, 642.
- H 1210 HAZ. MATERIALS RESPONSE TEAMS
(RE-REF COM ON RULES&)(S 922) 601, 716, 920.
- H 341 HORSE RACING STUDY-2
(RE-REF COM ON APPROP) 176, 629.

STUDIES—Con'd.

H 578	LAW ENFORCEMENT STUDY BLANK (REF TO COM ON RULES&)	225.
H 154	LICENSING BOARDS STUDY (REF TO COM ON RULES&)	89.
H 1113	LOTTERY FOR CAPITAL PROJECTS (REF TO COM ON COURTS&)	402, 865, 913.
H 164	LRC CONTINUE HOMELESS STUDY (REF TO COM ON RULES&)	90.
H 1295	LRC STUDY ANNEXATION LAW (REF TO COM ON RULES&)	704.
H 1051	LRC STUDY CARDIAC CARE (REF TO COM ON RULES&)	369.
H 1157	LRC STUDY COMPREHENSIVE PLANNING (REF TO COM ON RULES&)	498.
H 284	LRC STUDY CONSUMER PROTECTION (REF TO COM ON RULES&)	157.
H 732	LRC STUDY CROP DEPREDAATION (REF TO COM ON RULES&)	280.
H 1083	LRC STUDY DOWNTOWNS (REF TO COM ON RULES&)	398.
H 917	LRC STUDY EMPLOYMENT AGENCIES (REF TO COM ON RULES&)	337.
H 1021	LRC STUDY ENERGY CONSERVATION (REF TO COM ON RULES&)	359.
H 1211	LRC STUDY FIRE FIGHTERS PENSION (REF TO COM ON RULES&)	601.
H 731	LRC STUDY GOVERNOR'S POWERS (REF TO COM ON RULES&)	280.
H 1130	LRC STUDY LAW OFFICER RIGHTS (REF TO COM ON RULES&)	414.
H 1052	LRC STUDY LONG TERM CARE (REF TO COM ON RULES&)	370.
H 1289	LRC STUDY PESTICIDE APPLICATION (REF TO COM ON RULES&)	692.
H 867	LRC STUDY PRISON INMATE USE (REF TO COM ON RULES&)	331.
H 700	LRC STUDY PUBLIC TRANSPORTATION (REF TO COM ON RULES&)	276.
H 1226	LRC STUDY RAILROADS (REF TO COM ON RULES&)(S 906)	603.
H 1232	LRC STUDY REGISTER OF DEEDS (REF TO COM ON RULES&)	604.
H 1263	LRC STUDY SEX OFFENSE EVIDENCE (REF TO COM ON RULES&)	608.
H 127	LRC STUDY SURFACE WATER (REF TO COM ON RULES&)(S 85)	81.
H 120	MEDICAL MALPRACTICE STUDY (REF TO COM ON RULES&)(S 65)	80.
H 1292	MINORITY TOURISM PROPOSAL (REF TO COM ON RULES&)	692.
S 917	OMNIBUS STUDY BILL-1 (RATIFIED CH.0754)	1233, 1240, 1242, 1243, 1254.
H 1261	OMNIBUS STUDY BILL-2 (RE-REF COM ON APPROP)	608, 1232.
H 596	POLYSTYRENE USE STUDY (RE-REF COM ON RULES&)	239, 457, 529, 812.
H 977	PRIVATE PROPERTY RIGHTS STUDY (REF TO COM ON RULES&)	353.

STUDIES—Con'd.

S	102	REST HOME REGULATION REPORT (RATIFIED CH.0041)	168, 180, 318, 343, 367.
H	834	SAFE BOATING COMMITTEE (RE-REF COM ON RULES&)	308, 413, 494, 546, 886.
H	1186	SCHOOL YEAR/ATTENDANCE STUDY (REF TO COM ON RULES&)	568.
H	141	STATE PARKS STUDY COMM'N (REF TO COM ON RULES&)	83.
H	509	STATE PERSONNEL LIABILITY STUDY (REF TO COM ON RULES&)	212.
H	842	STUDY ABC STORE PRIVATIZATION (REF TO COM ON RULES&)	319.
H	1227	STUDY ENVIRONMENTAL POLICY ACT (REF TO COM ON RULES&)	603.
H	857	STUDY FOREST RESOURCES TRANSFER (REF TO COM ON RULES&)	321.
H	1095	STUDY HAZARDOUS WASTE DISPOSAL (REF TO COM ON RULES&)	399.
H	1280	STUDY HEALTH DIVISIONS TRANSFER (REF TO COM ON RULES&)	610.
H	1077	STUDY HEALTH INSURANCE ACCESS (RE-REF COM ON RULES&)	397, 735, 850.
H	1105	STUDY LICENSE TO SELL FISH (RE-REF COM ON RULES&)	401, 424, 649.
H	1237	STUDY LOCAL FISCAL INFO. ACT (REF TO COM ON RULES&)	604.
H	1046	STUDY PAY PHONE CUT-OFF (RATIFIED CH.0240)	369, 512, 563, 588, 812.
H	856	STUDY SOIL/WATER DIV'N TRANSFER (REF TO COM ON RULES&)	321.
H	633	TURF GRASS/FORAGE ASSESSMENT STUDY (RE-REF COM ON APPROP)(S 702)	254, 316, 462.
H	1181	UNINSURED MOTORIST STUDY (REF TO COM ON RULES&)	549.
H	1033	VICTIMS' RIGHTS STUDY (RE-REF COM ON RULES&)	360, 639.
H	170	WORKER TRAINING STUDY (REF TO COM ON RULES&)(S 203)	95.

SUBCONTRACTOR PAYMENT

H	1027	SUBCONTRACTOR PAYMENT (RATIFIED CH.0620) .	360, 459, 508, 542, 1086, 1107, 1116.
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SURRY COUNTY

H	685	SURRY PROPERTY TAX DISCOUNTS (RATIFIED CH.0148)	274, 447, 470, 743.
H	327	SURRY SCHOOL TERMS (RATIFIED CH.0308)	174, 227, 242, 888.
H	686	WALNUT COVE CHARTER REVISED (RATIFIED CH.0447)	274, 623, 633, 1007.

-T-

TALLENT, TIMOTHY N.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

EXCUSED ABSENCES 424, 648, 675, 764, 797.

OATH 9.

TAXATION

H 234 1/2 CENT LOCAL SALES TAX
(REF TO COM ON FINANCE) 125.H 568 ABC TAXES INCREASED
(REF TO COM ON FINANCE) 221.H 1125 ABUSED CHILDREN FUNDS
(REF TO COM ON APPROP) 403.H 343 ADJUST LOCAL TAX PENALTY
(RATIFIED CH.0064) 182, 259, 282, 451.H 718 AIRCRAFT MAINT. EQUIP. SALES TAX
(REF TO COM ON FINANCE)(S 673) 278.H 487 AMEND INVESTMENT CREDITS
(RATIFIED CH.0637) 209, 983, 1018, 1147.S 348 AMEND STATE AUDITOR'S DUTIES
(REF TO COM ON STATGOVT) 465.

H 1087 BLANK BILL (REF TO COM ON RULES&) 398.

H 1195 CABLE/SATELLITE TV SALES TAX
(REF TO COM ON FINANCE) 569.H 844 CEMETERY TAX EXEMPTION
(ASSIGNED TO FIN-LOC&) 319, 983.H 693 CIGARETTE MANUFACTURER'S TAX
(REF TO COM ON FINANCE) 275.H 1047 CLARIFY ALARM LICENSE TAX
(RATIFIED CH.0213) 369, 425, 455, 790.H 362 CLARIFY INVENTORY TAX EXEMPTIONS
(REF TO COM ON FINANCE) 189.

H 1249 CLOSE TAX LOOPHOLES (REF TO COM ON FINANCE) 606.

H 257 COMPROMISE USE-VALUE ROLLBACK
(REF TO COM ON FINANCE) 141.H 262 CORPORATE APPORTIONMENT FORMULA
(REF TO COM ON FINANCE) 142.H 1268 CORPORATE INCOME TAX TO 8%
(REF TO COM ON FINANCE) 609.H 1256 CORPORATE TAX THROWBACK RULE
(REF TO COM ON FINANCE) 607.H 1235 DEED STAMP TAX CHANGES
(REF TO COM ON FINANCE) 604.S 452 DEVELOPMENT FINANCING BONDS
(REF TO COM ON RULES&) 1113.S 112 DIESEL FUEL TAX REPORT
(RATIFIED CH.0182) 226, 728, 758, 779, 782.S 811 EDUC. INSTITUTION TAX EXEMPTION
(REF TO COM ON FINANCE) 789.H 1284 END CORPORATE TAX BREAKS
(REF TO COM ON FINANCE) 611.H 1279 EQUALIZE HOMESTEAD EXEMPTION
(ASSIGNED TO FIN-W&M) 610, 936.H 622 EXEMPT CERTAIN CAR DONATIONS
(REF TO COM ON FINANCE) 246.

TAXATION—Con'd.

H 1034	EXEMPT YOUTH LEAGUE CONCESSIONS (REF TO COM ON FINANCE)	361.
H 696	FINANCIAL INSTITUTIONS STUDY (REF TO COM ON RULES&)	275.
S 185	FOREIGN SALES CORP. TAX CHANGES (REF TO COM ON RULES&)(H 184)	1100.
H 184	FOREIGN SALES CORP. TAX CHANGES (REPTD TO FINANCE)(S 185)	105, 146, 975.
H 13	FRANCHISE TAX AMENDMENTS (RATIFIED CH.0030)	47, 86, 120, 130, 134, 226.
H 23	FUEL TAX CHANGES (RATIFIED CH.0487)	54, 79, 410, 477, 517, 534, 1001, 1026, 1046.
S 110	GASOLINE TAX AMENDMENTS (RATIFIED CH.0042)	229, 314, 340, 363, 367.
H 8	HIGHWAY TRUST FUND TECH. CHANGES (RATIFIED CH.0193)	46, 85, 135, 143, 148, 428, 441, 477, 555, 571, 759, 769, 783.
S 111	HIGHWAY USE TAX REDUCTIONS (REF TO COM ON FINANCE)	465.
H 10	HIGHWAY USE TAX TRANSITION (RATIFIED CH.0046) ..	46, 85, 104, 188, 236, 247,256, 383.
S 263	HISTORIC SITE TAX EXCLUSION (RATIFIED CH.0717)	1005, 1134, 1215, 1235.
H 405	INCOME TAX RESIDENCY CHANGES (REF TO COM ON FINANCE)	195.
H 893	INCOME TAX SURTAX FOR EDUCATION (REF TO COM ON FINANCE)	334.
H 1288	INCOME TAX/TOBACCO TAX CHANGES (REF TO COM ON FINANCE)	611.
H 567	INCREASE ABC PERMIT TAX (REF TO COM ON FINANCE)	220.
H 1248	INCREASE BILLBOARD TAX (REF TO COM ON FINANCE)	606.
H 1275	INCREASE CORPORATE FRANCHISE TAX (REF TO COM ON FINANCE)	610.
H 1133	INCREASE INVENTORY REIMBURSEMENT (REF TO COM ON FINANCE)(S 837)	427.
H 322	INCREASE STATE ADMISSION TAX (REF TO COM ON FINANCE)	166.
H 1283	INDEX HOMESTEAD EXEMPTION-2 (ASSIGNED TO FIN-W&M)	611, 964.
H 1141	INDIVIDUAL INCOME TAX INCREASE (REF TO COM ON FINANCE)	464.
H 1161	INDIVIDUAL INCOME TAX INCREASE-2 (REF TO COM ON FINANCE)	513.
H 1136	LOCAL GROSS RECEIPTS TAX (REF TO COM ON FINANCE)	439.
H 1225	LOCAL OPTION OCCUPANCY TAX (ASSIGNED TO FIN-STAT)	603, 759.
H 1221	LOCAL TAX OPTION MENU (REF TO COM ON FINANCE)	602.
H 199	LOCK BOX ACCESS BY SPOUSE (REF TO COM ON JUDICII)	108.

TAXATION—Con'd.

H 308	LOCKBOX/CREDIT CARD TAX COLLECTION (RATIFIED CH.0584)	164, 223, 378, 422, 1040, 1066, 1087, 1104.
H 1113	LOTTERY FOR CAPITAL PROJECTS (REF TO COM ON COURTS&)	402, 865, 913.
H 1258	LUXURY TAX (REF TO COM ON FINANCE)	607.
H 1254	MANUFACTURED HOME SALES TAX (ASSIGNED TO FIN-W&M)	607, 742.
H 245	MERCHANTS SALES TAX DISCOUNT (REF TO COM ON FINANCE)(S 96)	137.
H 1185	MILEAGE AFFECTS CAR VALUE (RE-REF COM ON FINANCE)	568, 728, 752.
H 306	MILITARY TAX FILING EXTENSION (Senate)(S 255)	163, 305, 341.
H 745	MILITARY TAX GRACE PERIOD (RATIFIED CH.0160)	287, 391, 429, 443, 754.
H 1276	MODIFY MACHINERY SALES TAX (REF TO COM ON FINANCE)	610.
H 1253	MODIFY MAIL ORDER SALES TAX (REF TO COM ON FINANCE)	607.
H 1257	MODIFY REAPPRAISAL SCHEDULE (RE-REF COM ON FIN-LOC&)	607, 964, 1017.
S 109	MODIFY TAX SECRECY PROVISION (REF TO COM ON JUDICII)	129.
H 20	MOTOR VEHICLE PROPERTY TAX (RATIFIED CH.0624)	51, 87, 150, 179, 185, 1099, 1117, 1128.
H 1039	NATURAL GAS EXPANSION/COST (RATIFIED CH.0598)	368, 863, 869, 900, 912, 1077, 1089, 1105.
H 594	NEWSPAPER INSERT NOT TAX EXEMPT (REF TO COM ON FINANCE)	239.
H 1219	NO EXCESSIVE INTEREST DEDUCTION (REF TO COM ON FINANCE)	602.
H 986	NO HIGHWAY TAX ON SCHOOL BUSES (REF TO COM ON FINANCE)(S 691)	355.
H 232	NO TAX ROLLBACK ON CONDEMNATION (Senate)	125, 586, 647.
H 544	NON-TAX-PAID FUEL PENALTY (RATIFIED CH.0613)	217, 452, 489, 1085, 1106, 1115.
H 444	NONRESIDENT SALES WITHHOLDING (ASSIGNED TO FIN-STAT)	204, 319.
H 226	ONE CENT LOCAL SALES TAX (REF TO COM ON FINANCE)	124.
H 1196	ONLY PURE MILK TAX EXEMPT (REF TO COM ON FINANCE)	570.
H 1282	PAY TAX BY ELECTRONIC TRANSFER (REF TO COM ON FINANCE)	611.
H 276	POLITICAL PARTIES FUND ADMIN. (RATIFIED CH.0347)	156, 235, 248, 923.
H 115	PORTS AUTHORITY/NO SALES TAX (POSTPONED INDEFINITELY)(S 66)	79, 460.
H 933	PRISON CONCESSION NOT TAX EXEMPT (RATIFIED CH.0618) .	348, 410, 433, 442, 1086, 1107, 1116.
S 107	PRIVILEGE LICENSE TAX CHANGES (RATIFIED CH.0479)	480, 956, 958, 971, 989, 1046.

TAXATION—Con'd.

H 375	PROPERTY TAX RECORDS SECRECY (POSTPONED INDEFINITELY)(S 347)	191, 224, 752, 843.
S 347	PROPERTY TAX RECORDS SECRECY (RATIFIED CH.0077)(H 375)	268, 285, 478, 508, 542, 551.
H 50	PROPERTY TAX TECHNICAL CHANGES (RATIFIED CH.0011)	62, 79, 93, 152.
H 81	PUBLIC TRANSIT PARKING TAX (REF TO COM ON TRANSPOR)(S 98)	71.
H 486	RAISE ABC LICENSE TAXES (REF TO COM ON FINANCE)	209.
H 1142	RAISE BEER AND CIGARETTE TAX (REF TO COM ON FINANCE)	464.
H 1155	RAISE CIGARETTE TAX (REF TO COM ON FINANCE)	498.
H 1162	RAISE CIGARETTE TAX-2 (REF TO COM ON FINANCE)	513.
H 1274	RAISE DEED STAMP TAX (REF TO COM ON FINANCE)	610.
H 446	RAISE GIFT TAX EXEMPTION (ASSIGNED TO FIN-STAT)	204, 283.
S 963	RAISE STATE SALES TAX TO 4% (REF TO COM ON RULES&)	1078.
H 1286	RAISE TOBACCO TAX/REFERENDUM (REF TO COM ON COURTS&)	611.
H 1224	RECYCLE PAPER TAX INCENTIVE (RATIFIED CH.0539)	603, 845, 861, 898, 911, 1038, 1045, 1070.
H 1236	REDEFINE DISTRESSED COUNTY (RATIFIED CH.0517)	604, 794, 818, 1005, 1031, 1049.
H 1285	REDUCE SALES TAX ON FOOD (REF TO COM ON FINANCE)	611.
H 1154	REMOVE VEHICLE SALES TAX CAP (REF TO COM ON FINANCE)	498.
H 1241	REPEAL BUSINESS INVESTMENT CREDIT (POSTPONED INDEFINITELY)	605, 983.
S 114	REPEAL INHERITANCE TAX EXEMPTIONS (RATIFIED CH.0454)	297, 963, 992, 1011, 1023.
H 687	REPEAL TAX CAP BOATS & AIRCRAFT (REF TO COM ON FINANCE)	274.
H 237	RESTORE INVENTORY TAX (REF TO COM ON FINANCE)	132.
H 916	RESTORE LOCAL GOV'T EARMARKING (REF TO COM ON APPROP)	337.
H 1252	REVENUE DEP'T AUTOMATION FUNDS-2 (REF TO COM ON APPROP)	606.
H 24	REVENUE DEPARTMENT REPORTS (RATIFIED CH.0010)	54, 78, 92, 96, 152.
H 462	REVENUE EMPLOYEE SERVE PAPERS (RATIFIED CH.0157)	206, 305, 341, 753.
H 61	REVENUE LAWS TECHNICAL CHANGES (RATIFIED CH.0045)	65, 135, 143, 148, 338, 362, 367.
S 128	REVIEW OF EXEMPT PROPERTY (RATIFIED CH.0034)	159, 188, 233, 242, 269.
H 1242	REVISE CORPORATE INCOME TAX (REF TO COM ON FINANCE)	605.
H 51	REVISE PROPERTY TAX COMM'N LAW (RATIFIED CH.0110)	62, 145, 171, 729.

TAXATION—Con'd.

S 108	SALES TAX ADMINISTRATION CHANGES (RATIFIED CH.0690)	822, 1140, 1158, 1170, 1184, 1185, 1190, 1191, 1225, 1226, 1238, 1244.
H 11	SCRAP TIRE TAX AMENDMENTS (RATIFIED CH.0221) ..	46, 85, 135, 153, 161, 171, 178, 801.
H 79	SIMPLIFY SOFT DRINK TAX (ASSIGNED TO FIN-STAT)	71, 146.
H 1205	SIMPLIFY SOFT DRINK TAX (REF TO COM ON FINANCE)	600.
S 234	SOLID WASTE SALES TAX REFUND (RATIFIED CH.0356)	226, 867, 930, 943.
H 46	SPECIAL FUELS LICENSE EXEMPTION (RATIFIED CH.0441)	62, 765, 784, 793, 953, 968, 986, 1006.
H 163	STATE PORTS TAX CREDIT (RE-REF COM ON FINANCE)(S 67) 90,	540, 639, 714, 721.
H 445	STATE TAX COLLECTION PROCEDURES (RATIFIED CH.0228)	204, 475, 503, 535, 555, 801.
H 239	STATE/LOCAL ONE CENT SALES TAX (REF TO COM ON FINANCE)	136.
S 103	SUBCHAPTER S CLARIFICATION (RATIFIED CH.0752)	1242, 1244, 1247.
H 1269	TAX BANK DEPOSITS ABOVE \$5,000 (REF TO COM ON FINANCE)	609.
S 104	TAX CREDIT ADJUSTMENT (RATIFIED CH.0453)	226, 963, 992, 1011, 1023.
S 697	TAX MILITARY SAME AS FEDERAL LAW (RATIFIED CH.0439)	770, 964, 999, 1006.
S 370	TAX ON TRADED-IN ITEMS (REF TO COM ON RULES&)	1078.
H 929	TECHNICAL CORRECTIONS (RATIFIED CH.0761)	347, 527, 588, 1234, 1242, 1246, 1253, 1254, 1255.
S 539	TIME FOR STAMPING CIGARETTES (RATIFIED CH.0708)	467, 1016, 1212, 1235.
H 80	TRANSIT AUTHORITY TAX (RATIFIED CH.0666)(S 99)	71, 460, 526, 556, 576, 1113, 1127, 1148, 1165, 1193.
H 383	UNC HOSPITALS FINANCE (ASSIGNED TO FIN-STAT)	192, 858, 919.
H 1202	UNPAID DEBT TAXED AS INCOME (REPTD TO FINANCE)	570, 727, 840.
H 12	UPDATE I.R.C. REFERENCE (Senate) .	47, 86, 112, 115, 123.
H 9	VEHICLE SALES TAX AMENDMENTS (RATIFIED CH.0079)	46, 85, 104, 188, 253, 270, 281, 300, 551.
H 905	VEHICLE VALUE, HIGHWAY TAX (REF TO COM ON FINANCE)	336.
H 401	VENTURE CAPITAL WITHHOLDING (REF TO COM ON FINANCE)	194.
H 1272	WORKERS COMP PREMIUM TAX UP (ASSIGNED TO FIN-W&M)	609, 1113.

TEACHERS - see PUBLIC EDUCATION**TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM,
CONFIRMATION OF BOARD OF TRUSTEES 870.****THERAPEUTIC RECREATION**

- S 348 AMEND STATE AUDITOR'S DUTIES
(REF TO COM ON STATGOVT) 465.
H 1091 LICENSING BOARDS UNDER BUDGET
(RE-REF COM ON FINANCE) 399, 506.

THOMPSON, RAYMOND M.

- BILLS INTRODUCED - see APPENDIX
COMMITTEE ASSIGNMENTS - see APPENDIX
EXCUSED ABSENCES 629, 691, 981, 1099.
OATH 9.

TRADEMARKS

- H 450 CLARIFY TRADEMARK REGISTRATION
(RATIFIED CH.0626) 205, 725, 788, 806,
828, 1099, 1117, 1129.

TRAPPING - see CONSERVATION & DEVELOPMENT**TRUSTS**

- H 1000 LIFE PLAN TRUST ACT (Senate) 356, 527, 594.
S 775 MODIFY MARITAL DEDUCTION TRUSTS
(RATIFIED CH.0736) 1041, 1162, 1171, 1202, 1237.
H 929 TECHNICAL CORRECTIONS
(RATIFIED CH.0761) 347, 527, 588, 1234, 1242,
1246, 1253, 1254, 1255.
S 395 TERMINATION OF SMALL TRUSTS
(RATIFIED CH.0747) 428, 1143, 1229, 1245.
S 396 VOTING STOCK BY FIDUCIARY
(RATIFIED CH.0460) 298, 886, 973, 1024.

TYRRELL COUNTY

- H 465 COLUMBIA BEER SALES LIMITED (Senate) .. 207, 457, 483.
S 530 REPEAL FOX HUNTING SUNSET
(RATIFIED CH.0483) 531, 545, 935, 999, 1046.

-U-

UNC - see HIGHER EDUCATION**UNC BOARD OF GOVERNORS ELECTION**

- ELECTION BY HOUSE 118.
ELECTION BY SENATE 110.

UNIFORM COMMERCIAL CODE

- H 214 AMEND BAD CHECK FEE (REF TO COM ON JUDICI) . 115.
S 198 INCREASE BAD CHECK FEE
(RATIFIED CH.0455) 196, 768, 868, 930,
963, 993, 1012, 1023.
H 420 OMNIBUS TECHNICAL AMENDMENTS
(RATIFIED CH.0636) 201, 594, 664, 1002, 1122, 1127, 1147.

UNIFORM COMMERCIAL CODE—Con'd.

- H 1177 RAISE REGISTER OF DEEDS FEES
(REF TO COM ON FINANCE) 549.
H 848 UCC STATEMENT FILING, INDEXING
(RATIFIED CH.0164) 320, 446, 473, 488, 736, 744, 754.

UNION COUNTY

- H 608 BALD HEAD/STALLINGS POST OFFICE
(RATIFIED CH.0350) 244, 304, 324, 888, 908, 923.
H 197 STALLINGS POST OFFICE
(RATIFIED CH.0016) 108, 131, 138, 168.
S 368 MONROE PROPERTY DISPOSITION
(RATIFIED CH.0319) 480, 834, 867, 880, 893, 905.
S 629 UNION, COLUMBUS JAIL EXEMPTION
(RATIFIED CH.0393) 337, 710, 720, 732,
787, 815, 855, 895, 954.

UTILITIES COMMISSION CONFIRMATION

- S 899 CONFIRM UTILITIES COMM'N APP'T
(RATIFIED RES.17)(H1190) 409, 763, 765, 793, 801.

UTILITY COMMISSION

- H 407 CONTINUE UTILITY REVIEW
(RATIFIED CH.0129) 195, 593, 624, 737.
H 475 ENERGY ASSURANCE RECOMMENDATIONS
(REF TO COM ON RULES&) 208.
H 636 EXEMPT CELLULAR PHONES
(POSTPONED INDEFINITELY)(S 551) 255, 593,
626, 627, 663.
S 551 EXEMPT CELLULAR PHONES
(RATIFIED CH.0082)(H 636) 481, 623, 627, 632.
H 1039 NATURAL GAS EXPANSION/COST
(RATIFIED CH.0598) 368, 863, 869, 900,
912, 1077, 1089, 1105.
H 1024 RAILROAD OPERATIONS BLANK
(REF TO COM ON RULES&) 359.
H 1231 REDUCE STATE UTILITY RATES
(REF TO COM ON FINANCE) 604.
S 205 REPEAL UTILITY FEE SUNSET
(RATIFIED CH.0451) .. 196, 381, 846, 983, 994, 1013, 1018.
H 1046 STUDY PAY PHONE CUT-OFF
(RATIFIED CH.0240) 369, 512, 563, 588, 812.
S 417 TRANSMISSION LINE SITING
(RATIFIED CH.0189)(H 523) 415, 726, 740, 782.
H 523 TRANSMISSION LINE SITING
(REF TO COM ON PUBUTILS)(S 417) 214.
H 1085 WATER/SEWER FRANCHISE BOND
(REF TO COM ON PUBUTILS) 398.

-V-

VETERANS

- H 307 PERSIAN GULF VET. SCHOLARSHIPS
(RATIFIED CH.0549) 163, 317, 411, 565, 620, 1090.

VICTIM COMPENSATION

- H 534 VICTIMS COMPENSATION SUNSET OFF
(RATIFIED CH.0301) 216, 313, 342, 377, 876.

VOTING - see ELECTIONS

-W-

WAINWRIGHT, WILLIAM L.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

ESCORT FOR PRISONERS OF WAR

(OPERATION DESERT STORM) 731.

EXCUSED ABSENCES 78, 235, 903, 961, 1099,
1112, 1123, 1142, 1164, 1193.

OATH 9.

OFFERS PRAYER 327.

WAKE COUNTY

H 600 CARY FIREFIGHTER BENEFITS

(RATIFIED CH.0147) 239, 392, 561, 575, 743.

H 635 RALEIGH AUTO TAX INCREASE

(RATIFIED CH.0229) 255, 345, 372, 385, 801.

H 777 RALEIGH CHARTER AMENDED

(RATIFIED CH.0312) 291, 461, 586, 613, 632, 889.

H 703 WAKE OCCUPANCY/MEALS TAX

(RATIFIED CH.0594)(S 601) 276, 932, 951, 990, 1010, 1105.

H 704 WAKE REVENUE BLANK-2

(REF TO COM ON RULES&)(S 602) 276.

H 705 WAKE REVENUE BLANK-3

(REF TO COM ON RULES&)(S 603) 277.

H 706 WAKE REVENUE BLANK-4

(REF TO COM ON RULES&)(S 604) 277.

S 214 HOLLY SPRINGS ANNEXATION

(RATIFIED CH.0243) 653, 718, 788, 805, 814, 825.

S 510 WAKE ASSESSOR ABC CERTIFICATION

(RATIFIED CH.0091) 531, 682, 707, 711.

S 511 WAKE FIREARM REGULATION

(RATIFIED CH.0266) 572, 718, 829, 838, 847.

S 606 WAKE JAIL FEES (REF TO COM ON FINANCE) 1065.

WARNER, ALEX

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

EXCUSED ABSENCES 60, 107, 124, 139, 161, 198, 235,
243, 365, 565, 702, 715, 725, 749, 781, 869, 1193.

EXCUSED FROM VOTING: H 993 681.

OATH 9.

WASHINGTON COUNTY

H 223 WASHINGTON GARBAGE FEE COLLECTION

(REPTD TO FINANCE) 122, 128, 283, 581.

WATAUGA COUNTY

H 574 FOSCOE INCORPORATED

(RATIFIED CH.0553) 225, 249, 328, 373,
384, 1041, 1066, 1090.

H 774 WATAUGA HOSPITAL SINGLE PRIME

(RATIFIED CH.0201) 291, 461, 502, 783.

WATER & SEWER AUTHORITY

- H 713 METRO SEWERAGE DISTRICT OFFICERS
(RATIFIED CH.0351) 278, 623, 664, 923.
S 474 SEWERAGE DISTRICT EXPANSION
(REF TO COM ON RULES&) 822.
H 1132 SINGLE COUNTY WATER/SEWER AUTH.
(RATIFIED CH.0516) 427, 726, 856, 877, 1049.
H 501 STORMWATER UTILITIES
(RATIFIED CH.0591)(S 453) 211, 662, 853,
861, 873, 1076, 1089, 1105.

WAYNE COUNTY

- H 726 GOLDSBORO OCCUPANCY TAX USE
(RATIFIED CH.0555) ... 279, 380, 702, 724, 746, 755, 1090.
S 530 REPEAL FOX HUNTING SUNSET
(RATIFIED CH.0483) 531, 545, 935, 999, 1046.

WEIGHTS & MEASURES

- S 863 STANDARDS LAB FEES ESTABLISHED
(RE- REF COM ON APPROP) 1042, 1120, 1162.
S 283 WEIGHTS & MEASURES ACT CHANGES
(RATIFIED CH.0642) 689, 787, 808, 817,
841, 981, 1121, 1173.

WICKER, DENNIS A.

- BILLS INTRODUCED - see APPENDIX
COMMITTEE ASSIGNMENTS - see APPENDIX
CONFEREE: H 83, H 89, H 1287, S 649, S 688, S 930
DELEGATION MEMBER TO ATTEND FUNERAL OF
CARSON GREGORY, FORMER HOUSE MEMBER 93.
ESCORT FOR CHIEF JUSTICE 92, 102.
ESCORT FOR PREMIER DANIEL 126.
ESCORT FOR REP. MCGEE TO LEGISLATIVE SEAT 119.
ESCORT FOR U.S.A. ALL AMERICAN ACADEMIC STUDENTS . 262.
EXCUSED ABSENCES 93, 150, 186, 344, 509, 869.
EXCUSED FROM VOTING: H 809 576.
MAJORITY LEADER 41.
OATH 9.
PRESIDING 67, 281, 488, 542, 595, 666, 675,
816, 928, 958, 1129, 1188, 1229.
RULINGS ON MOTIONS 958, 1187, 1188.

WILLS

- H 419 REVIVAL OF WILL PROVISIONS
(RATIFIED CH.0587) 201, 545, 596, 1081, 1094, 1104.

WILMOTH, WADE FRANKLIN

- BILLS INTRODUCED - see APPENDIX
COMMITTEE ASSIGNMENTS - see APPENDIX
CONFEREE: H 662
OATH 9.

WILSON COUNTY

- H 766 WILSON JAIL CONSTRUCTION
(RATIFIED CH.0200) 290, 393, 420, 783.
S 495 WILSON JAIL EXEMPTION
(POSTPONED INDEFINITELY) 466, 682, 706,
720, 746, 756, 791.

WILSON, PEGGY

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

EXCUSED ABSENCES 1020.

EXCUSED FROM VOTING: H 740 597.

OATH 9.

WITHROW, WILLIAM

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

EXCUSED ABSENCES 50, 53, 67, 124, 127, 174,

181, 186, 198, 222, 365, 781, 821.

OATH 9.

WOOD, STEPHEN W.

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

CONFERE: H 83 864.

EXCUSED ABSENCES 53, 54, 65, 107, 114, 139, 155,

222, 235, 243, 304, 365, 424, 436, 715, 725.

OATH 9.

WOODARD, BARNEY PAUL

BILLS INTRODUCED - see APPENDIX

COMMITTEE ASSIGNMENTS - see APPENDIX

EXCUSED ABSENCES 725.

OATH 9.

WORKERS' COMPENSATION

S 359 ASBESTOSIS EXAMS/FEES

(RATIFIED CH.0481) 655, 766, 865, 963,

994, 998, 1015, 1033, 1046.

S 286 INDUSTRIAL COMM'N CHAIR DUTIES

(RATIFIED CH.0264) 653, 703, 788, 817, 847.

H 420 OMNIBUS TECHNICAL AMENDMENTS

(RATIFIED CH.0636) 201, 594, 664, 1002, 1122, 1127, 1147.

S 432 SPECIAL INDUSTRIAL COMM'N FUND

(RE- REF COM ON FINANCE) 1086, 1149.

S 434 WORKER'S COMP. TECHNICAL AMENDS

(RATIFIED CH.0703) 811, 904, 1161, 1209, 1211.

H 952 WORKERS COMP FOR FARM WORKERS

(RE-REF COM ON RULES&) 350, 643, 886.

S 769 WORKERS COMP FOREIGN INJURIES

(RATIFIED CH.0284) 572, 635, 795, 831, 860.

H 771 WORKERS' COMP. INJURY DEFINED

(FAILED 2ND READING) 291, 475, 508, 542.

S 726 WORKERS' COMP. SECURITY FUND

(REF TO COM ON ECONEXPA) 695.

S 657 WORKERS' COMP. THIRD PARTIES

(RATIFIED CH.0408) 698, 705, 857, 930, 967.

-Y-

YADKIN COUNTY

H 674 JONESVILLE/ARLINGTON MERGED

(RATIFIED CH.0499) 267, 379, 527, 574,

612, 1003, 1026, 1047.

YOUTH SERVICES

- H 954 STATE SUBSIDIES/DETENTION HOMES
(REF TO COM ON APPROP) 350.

-Z-

ZONING

- H 782 "ETJ/SATELLITE AREA"
(RATIFIED CH.0289) 292, 525, 554, 799, 834, 849, 860.
- S 649 AIR CARGO AIRPORT AUTHORITY
(RATIFIED CH.0749) 700, 844, 1162, 1180,
1206, 1221, 1222, 1241, 1243, 1245.
- H 924 AIR PERMITS/LOCAL ORDINANCES
(RATIFIED CH.0629) . 346, 382, 547, 618, 1100, 1117, 1129.
- H 1009 AMORTIZATION MORATORIUM/SIGN FEE INCREASE
(RE-REF COM ON RULES&) 358, 667, 695,
697, 712, 721, 918.
- H 735 BUNCOMBE PREDEVELOPMENT
(RATIFIED CH.0250) 286, 544, 575, 826.
- H 1017 CITY ISSUE SUBPOENA/STOP ORDER
(RATIFIED CH.0512) 359, 591, 646, 1004, 1029, 1049.
- S 534 COLUMBUS OCCUPANCY TAX
(RATIFIED CH.0632) 905, 1039, 1068,
1094, 1108, 1128, 1147.
- H 85 CURRITUCK NOISE DISTRICTS
(RATIFIED CH.0005) 71, 94, 102, 127.
- H 757 DUNN FACILITY FEES
(RATIFIED CH.0660) 289, 393, 448, 469,
483, 1100, 1114, 1125, 1130, 1137, 1175.
- H 765 DURHAM COUNTY IMPACT FEES
(Senate) 290, 951, 1042, 1053, 1094, 1108.
- H 764 DURHAM DENSITY BONUS
(RATIFIED CH.0503) 290, 544, 575, 1048.
- H 722 DURHAM DEVELOPMENT PLANS
(RATIFIED CH.0380) 279, 392, 420, 945.
- S 410 ENVIRONMENTAL POLICY ACT AMENDS
(ASSIGNED TO ENV-WAT&) 677, 798, 812.
- H 410 ENVIRONMENTAL POLICY ACT AMENDS
(RATIFIED CH.0431) 199, 223, 271, 313, 324, 953, 969, 985.
- H 790 FAISON/BELMONT ZONING JURISDICTION
(RATIFIED CH.0596) 293, 461, 485, 1064, 1087, 1105.
- S 148 FARM PURPOSE INCLUDES PLANTS
(RATIFIED CH.0069) 133, 316, 395, 420, 431, 453, 514.
- H 341 HORSE RACING STUDY-2
(RE-REF COM ON APPROP) 176, 629.
- H 88 LAURINBURG ZONING NOTICES
(RATIFIED CH.0006) 72, 94, 101, 127.
- H 747 MECKLENBURG TOWNS ETJ
(RATIFIED CH.0161) 288, 393, 420, 452, 741, 745, 754.
- H 638 MONTREAT EXTRATERRITORIAL
(RATIFIED CH.0248) 262, 446, 473, 541, 826.
- H 810 MOORE TOWNS STUDY ANNEXATION
(Senate) 295, 552, 575.
- H 742 MOUNTAIN PLANNING ACT
(REF TO COM ON ENVIRONM) 287, 309.
- H 773 MT. HOLLY/STANLEY ETJ (REF TO COM ON RULES&) 291.

ZONING—Con'd.

- H 667 NONSURFACE DISCHARGE NOTICE
(RATIFIED CH.0498) . 266, 272, 528, 594, 1003, 1029, 1047.
- S 917 OMNIBUS STUDY BILL-1
(RATIFIED CH.0754) 1233, 1240, 1242, 1243, 1254.
- H 1261 OMNIBUS STUDY BILL-2
(RE-REF COM ON APPROP) 608, 1232.
- S 623 ORANGE/CHATHAM OMNIBUS
(RATIFIED CH.0246) 699, 742, 759, 784, 791, 826.
- H 275 PAMLICO SUBDIVISION REPEAL
(RATIFIED CH.0370) 156, 222, 232, 255, 944.
- S 545 PENDER SUBDIVISION REGULATION
(RATIFIED CH.0204) 699, 742, 756, 789.
- S 565 POPLAR TENT BEAUTIFICATION DIST.
(RATIFIED CH.0685) .. 1005, 1086, 1134, 1151, 1167, 1234.
- H 931 PRIVATE PROPERTY PROTECTION
(REF TO COM ON JUDICI) 347.
- S 151 PROTECT NATURAL/SCENIC RIVERS
(FAILED 3RD READING) 688, 727, 751,
778, 785, 1031, 1212, 1239.
- H 801 STANLY SUBDIVISIONS
(RATIFIED CH.0504) 294, 565, 633, 1003, 1026, 1048.
- H 1058 STATE ETHICS CODE-2 (REF TO COM ON JUDICIII) .. 370.
- H 501 STORMWATER UTILITIES
(RATIFIED CH.0591) 211, 662, 853, 861,
873, 1076, 1089, 1105.
- H 1025 SURVEY REGISTRATION CHANGES
(RE-REF COM ON JUDICI) 360, 674, 713.
- H 929 TECHNICAL CORRECTIONS
(RATIFIED CH.0761) 347, 527, 588, 1234,
1242, 1246, 1253, 1254, 1255.
- H 124 WATER PROJECTS PLAN
(RATIFIED CH.0579) ... 80, 98, 625, 665, 1076, 1088, 1103.
- S 448 WATERSHED PROGRAM AMENDMENTS
(REF TO COM ON RULES&) 677.
- S 619 WILMINGTON RESTRICTIVE COVENANTS
(RATIFIED CH.0122) 657, 719, 733.
- H 772 WILMINGTON ZONING CONDITIONS (Senate) 291, 458, 484.
- S 569 WILMINGTON ZONING DENSITY BONUS
(RATIFIED CH.0119) 656, 718, 733, 737.
- H 683 WILMINGTON ZONING DENSITY BONUS
(Senate) 274, 392, 419.
- H 738 WILMINGTON/PENDER PROPERTY MATTERS
(RATIFIED CH.0615) 286, 457, 484, 1085, 1101, 1122.
- H 982 ZONING WILLIE M. HOMES
(REF TO COM ON JUDICI) 354.

ZOOS

- H 746 STATE RECYCLING AT PUBLIC AREAS
(RATIFIED CH.0336) 287, 316, 585, 645, 906.

RATIFIED BILLS BY CHAPTER 1991

Chapter Number	Bill Number	Chapter Number	Bill Number	Chapter Number	Bill Number
1	H 16	47	H 84	93	S 632
2	S 44	48	H 119	94	H 321
3	S 50	49	H 185	95	H 388
4	H 76	50	H 365	96	H 411
5	H 85	51	H 368	97	H 676
6	H 88	52	S 166	98	S 507
7	S 46	53	S 209	99	S 509
8	S 178	54	H 208	100	S 654
9	H 63	55	H 273	101	H 300
10	H 24	56	S 87	102	H 553
11	H 50	57	H 95	103	S 11
12	H 32	58	H 113	104	S 460
13	H 4	59	H 168	105	S 492
14	H 112	60	H 206	106	S 493
15	H 138	61	H 339	107	S 520
16	H 197	62	H 78	108	S 553
17	S 90	63	H 224	109	S 763
18	S 119	64	H 343	110	H 51
19	S 144	65	S 10	111	H 249
20	H 228	66	S 161	112	H 299
21	H 111	67	H 157	113	H 331
22	S 56	68	H 34	114	H 849
23	S 142	69	S 148	115	S 134
24	S 223	70	H 374	116	S 299
25	H 159	71	H 392	117	S 477
26	H 194	72	S 189	118	S 544
27	H 215	73	S 362	119	S 569
28	H 247	74	H 267	120	S 578
29	H 263	75	H 545	121	S 615
30	H 13	76	H 583	122	S 619
31	S 101	77	S 347	123	S 631
32	S 158	78	S 457	124	H 38
33	H 264	79	H 9	125	H 353
34	S 128	80	H 688	126	H 372
35	S 157	81	S 149	127	H 373
36	S 177	82	S 551	128	H 385
37	S 43	83	S 829	129	H 407
38	S 136	84	H 569	130	H 409
39	H 68	85	H 932	131	H 441
40	H 244	86	H 118	132	H 554
41	S 102	87	H 467	133	H 559
42	S 110	88	H 350	134	H 562
43	S 243	89	S 164	135	H 570
44	H 48	90	S 502	136	H 637
45	H 61	91	S 510	137	H 680
46	H 10	92	S 575	138	H 712

Chapter Number	Bill Number	Chapter Number	Bill Number	Chapter Number	Bill Number
139	H 717	189	S 417	239	H 915
140	H 795	190	S 476	240	H 1046
141	H 798	191	S 660	241	S 165
142	S 282	192	S 661	242	S 190
143	S 325	193	H 8	243	S 214
144	S 703	194	H 243	244	S 537
145	H 166	195	H 460	245	S 555
146	H 348	196	H 483	246	S 623
147	H 600	197	H 634	247	H 598
148	H 685	198	H 678	248	H 638
149	H 699	199	H 714	249	H 689
150	S 52	200	H 766	250	H 735
151	S 130	201	H 774	251	H 811
152	S 330	202	S 447	252	H 816
153	S 414	203	S 518	253	S 486
154	H 326	204	S 545	254	S 491
155	H 340	205	S 679	255	S 639
156	H 344	206	S 746	256	H 423
157	H 462	207	S 791	257	H 427
158	H 592	208	H 211	258	H 440
159	H 603	209	H 291	259	H 691
160	H 745	210	H 309	260	H 807
161	H 747	211	H 653	261	H 868
162	H 775	212	H 788	262	H 976
163	H 808	213	H 1047	263	S 23
164	H 848	214	S 267	264	S 286
165	H 926	215	S 293	265	S 422
166	H 951	216	S 294	266	S 511
167	S 291	217	S 415	267	S 624
168	S 419	218	S 538	268	S 764
169	S 557	219	S 745	269	S 798
170	S 592	220	S 822	270	H 5
171	S 611	221	H 11	271	H 52
172	S 686	222	H 75	272	H 282
173	S 741	223	H 82	273	H 416
174	S 780	224	H 186	274	H 421
175	H 58	225	H 218	275	H 449
176	H 117	226	H 219	276	H 855
177	H 225	227	H 424	277	H 901
178	H 478	228	H 445	278	H 928
179	H 582	229	H 635	279	S 126
180	H 1146	230	H 784	280	S 269
181	S 84	231	H 806	281	S 377
182	S 112	232	S 260	282	S 399
183	S 218	233	S 628	283	S 594
184	S 280	234	S 645	284	S 769
185	S 326	235	S 662	285	H 356
186	S 344	236	S 773	286	H 412
187	S 356	237	H 428	287	H 422
188	S 357	238	H 854	288	H 442

Chapter Number	Bill Number	Chapter Number	Bill Number	Chapter Number	Bill Number
289	H 782	339	H 902	389	S 312
290	H 861	340	H 911	390	S 501
291	H 967	341	H 964	391	S 612
292	H 991	342	H 1124	392	S 622
293	S 139	343	S 341	393	S 629
294	S 241	344	S 690	394	H 406
295	S 475	345	H 122	395	H 602
296	H 248	346	H 131	396	H 681
297	H 391	347	H 276	397	H 787
298	H 456	348	H 355	398	H 865
299	H 499	349	H 468	399	S 183
300	H 506	350	H 608	400	S 225
301	H 534	351	H 713	401	S 249
302	H 610	352	H 1118	402	S 307
303	H 668	353	H 1119	403	S 386
304	H 690	354	S 122	404	S 498
305	H 727	355	S 123	405	S 516
306	S 483	356	S 234	406	S 522
307	H 148	357	S 277	407	S 599
308	H 327	358	S 306	408	S 657
309	H 532	359	S 372	409	S 724
310	H 588	360	S 385	410	H 352
311	H 617	361	S 413	411	H 435
312	H 777	362	S 427	412	H 448
313	H 785	363	S 488	413	H 463
314	H 891	364	S 620	414	H 708
315	H 912	365	S 634	415	H 786
316	H 1086	366	S 635	416	H 959
317	S 150	367	S 659	417	H 966
318	S 213	368	H 175	418	S 155
319	S 368	369	H 241	419	S 237
320	S 389	370	H 275	420	S 273
321	S 412	371	H 584	421	S 287
322	S 469	372	H 585	422	S 319
323	S 479	373	H 586	423	S 321
324	S 549	374	H 607	424	S 581
325	S 550	375	H 620	425	S 656
326	S 744	376	H 652	426	S 696
327	H 33	377	H 664	427	H 279
328	H 333	378	H 711	428	H 324
329	H 381	379	H 720	429	H 371
330	H 453	380	H 722	430	H 386
331	H 495	381	H 724	431	H 410
332	H 505	382	H 730	432	H 520
333	H 616	383	H 737	433	H 563
334	H 623	384	H 797	434	H 605
335	H 640	385	H 819	435	H 659
336	H 746	386	H 897	436	H 923
337	H 750	387	H 939	437	H 1304
338	H 752	388	H 996	438	S 590

Chapter Number	Bill Number	Chapter Number	Bill Number	Chapter Number	Bill Number
439	S 697	489	H 289	539	H 1224
440	S 706	490	H 347	540	S 281
441	H 46	491	H 418	541	S 380
442	H 390	492	H 455	542	S 458
443	H 414	493	H 513	543	S 473
444	H 642	494	H 587	544	S 771
445	H 672	495	H 604	545	S 809
446	H 682	496	H 624	546	H 22
447	H 686	497	H 663	547	H 37
448	H 884	498	H 667	548	H 183
449	H 1064	499	H 674	549	H 307
450	H 1097	500	H 702	550	H 314
451	S 205	501	H 719	551	H 512
452	S 961	502	H 760	552	H 551
453	S 104	503	H 764	553	H 574
454	S 114	504	H 801	554	H 621
455	S 198	505	H 837	555	H 726
456	S 245	506	H 869	556	H 756
457	S 316	507	H 925	557	H 789
458	S 320	508	H 965	558	H 796
459	S 343	509	H 987	559	H 802
460	S 396	510	H 1002	560	H 824
461	S 400	511	H 1016	561	H 895
462	H 204	512	H 1017	562	H 918
463	H 220	513	H 1018	563	H 944
464	H 278	514	H 1060	564	H 953
465	H 485	515	H 1108	565	H 989
466	H 577	516	H 1132	566	S 465
467	H 595	517	H 1236	567	S 802
468	H 800	518	S 411	568	H 395
469	H 826	519	S 564	569	H 396
470	H 851	520	S 664	570	H 754
471	H 873	521	S 717	571	S 965
472	H 874	522	H 133	572	S 257
473	H 908	523	H 180	573	S 373
474	H 942	524	H 240	574	S 397
475	H 1121	525	H 283	575	S 424
476	S 227	526	H 290	576	S 449
477	S 12	527	H 330	577	S 585
478	S 20	528	H 400	578	S 742
479	S 107	529	H 493	579	H 124
480	S 336	530	H 516	580	H 134
481	S 359	531	H 662	581	H 165
482	S 376	532	H 763	582	H 182
483	S 530	533	H 794	583	H 233
484	S 762	534	H 838	584	H 308
485	S 774	535	H 1044	585	H 367
486	S 934	536	H 1111	586	H 370
487	H 23	537	H 1131	587	H 419
488	H 135	538	H 1222	588	H 464

Chapter Number	Bill Number	Chapter Number	Bill Number	Chapter Number	Bill Number
589	H 488	639	H 821	689	H 83
590	H 490	640	H 956	690	S 108
591	H 501	641	H 1073	691	S 358
592	H 556	642	S 283	692	S 816
593	H 597	643	S 329	693	S 935
594	H 703	644	S 339	694	H 14
595	H 728	645	S 398	695	H 611
596	H 790	646	S 688	696	H 776
597	H 809	647	S 778	697	H 850
598	H 1039	648	S 792	698	H 985
599	H 1163	649	S 508	699	H 1010
600	H 1298	650	H 18	700	H 1106
601	S 16	651	H 54	701	H 408
602	S 34	652	H 86	702	S 403
603	S 401	653	H 301	703	S 434
604	S 642	654	H 402	704	S 470
605	S 669	655	H 425	705	S 766
606	S 689	656	H 452	706	H 494
607	S 817	657	H 491	707	S 41
608	H 332	658	H 673	708	S 539
609	H 413	659	H 684	709	S 652
610	H 417	660	H 757	710	S 760
611	H 433	661	H 890	711	S 814
612	H 498	662	H 904	712	S 943
613	H 544	663	H 1107	713	S 39
614	H 701	664	H 1178	714	S 62
615	H 738	665	S 580	715	S 69
616	H 740	666	H 80	716	S 253
617	H 825	667	H 479	717	S 263
618	H 933	668	H 564	718	S 270
619	H 1013	669	H 770	719	S 324
620	H 1027	670	H 881	720	S 333
621	H 1109	671	H 1160	721	S 338
622	S 284	672	H 64	722	S 425
623	S 450	673	H 281	723	S 429
624	H 20	674	H 547	724	S 433
625	H 193	675	H 1303	725	S 451
626	H 450	676	S 17	726	S 472
627	H 482	677	S 42	727	S 485
628	H 852	678	S 58	728	S 506
629	H 924	679	S 70	729	S 655
630	H 1037	680	S 91	730	S 670
631	S 360	681	S 342	731	S 685
632	S 534	682	S 384	732	S 694
633	S 684	683	S 426	733	S 727
634	H 132	684	S 505	734	S 733
635	H 398	685	S 565	735	S 758
636	H 420	686	S 716	736	S 775
637	H 487	687	S 723	737	S 779
638	H 739	688	S 828	738	S 788

Chapter Number	Bill Number	Chapter Number	Bill Number	Chapter Number	Bill Number
739	S 801	747	S 395	755	H 6
740	H 89	748	S 678	756	H 274
741	H 126	749	S 649	757	S 350
742	H 1287	750	H 1014	758	H 734
743	S 141	751	H 601	759	H 748
744	S 392	752	S 103	760	S 930
745	S 438	753	H 366	761	H 929
746	H 1309	754	S 917		

RATIFIED RESOLUTIONS BY NUMBER 1991

Res. Number	Bill Number	Res. Number	Bill Number	Res. Number	Bill Number
1	S 1	11	H 695	21	H 1291
2	H 1	12	H 743	22	S 957
3	S 187	13	H 919	23	H 1302
4	H 202	14	H 286	24	H 1305
5	S 208	15	S 194	25	S 964
6	S 121	16	S 153	26	H 1308
7	H 266	17	S 899	27	S 966
8	S 118	18	S 958	28	S 949
9	S 236	19	H 1299	29	H 121
10	S 646	20	S 962	30	H 1312

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